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1 DEPARTMENT OF THE INTERIOR
2 COOPERATIVE CONSERVATION LISTENING SESSION
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7 DATE: Wednesday, September 13, 2006
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9 TIME: 1:00 p.m.
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11 LOCATION: CASCADE THEATRE
12 1731 Market Street
13 Redding, California
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25 DEBBIE J. BENSON, C.S.R. License No. 6527

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1 LISTENING PANEL

2 MARK REY
3 UNDER SECRETARY, U.S. DEPARTMENT OF AGRICULTURE
4

5 STEVE THOMPSON
6 U.S. FISH AND WILDLIFE SERVICE
7

8 SCOTT RAYDER
9 CHIEF OF STAFF, NOAA
10

11 WAYNE NASTRI
12 REGIONAL ADMINISTRATOR, U.S. E.P.A.
13

14 MODERATOR: DAVID CASE
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1 MR. CASE: Good afternoon and welcome. This
2 is the 14th of 24 discussions on cooperative
3 conservation. My name is Dave Case and I'm the
4 moderator for this afternoon's session. I'd like to
5 start by introducing the folks that are up on the podium
6 with me.

7 First, Wayne Nastri, Regional Administrator
8 from the Pacific Southwest Region of the Environmental
9 Protection Agency.

10 Steve Thompson, Regional Director for U.S. and
11 Wildlife Service, California/Nevada office region.

12 Scott Rayder with NOAA.

13 And Mark Rey, Under Secretary of the U.S.
14 Department of Agriculture.

15 Our court reporter that's up here on the stage
16 is Debbie Benson. She'll be recording and transcribing
17 all of the comments made by everybody today so that
18 there's a record, and I'll talk a little bit more about
19 that in just a moment.

20 Also, our sign interpreter is Shirleen
21 Cardinez, and there will also be someone else joining
22 her. Hillary Barkman will be helping out on the sign
23 interpretation.

24 I'm honored to introduced to you Emily
25 Nicholson. Emily this year was selected as the Tehama

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1 County 4-H All Stars. That's the honor the Tehama
2 County 4-H gives out. She's going to lead us in the
3 pledge of allegiance, and we asked her here to
4 represent -- since most of the other representatives of
5 future generations are at school -- we asked Emily who
6 just graduated from high school and will be attending
7 Shasta College to represent future conservationists.

8 Emily.

9 MS. NICHOLSON: If you will please all stand
10 and join me in saying the Pledge of Allegiance.

11 (Pledge of Allegiance.)

12 MS. NICHOLSON: Thank you.

13 MR. CASE: Thank you, Emily.

14 I'd like to start by giving you a brief
15 overview of the process we're going to use today.
16 First, we'll have a few opening comments from the
17 panelists that are up here on the podium.

18 We'll then make some quick introductions and
19 move right on to the main reason which you're here,
20 which is to hear your comments and listen to your
21 comments on cooperative conservation.

22 The process we're going to follow is -- let me
23 step through that. I would first ask if you have cell
24 phones to please turn those off. We would sure
25 appreciate it. It will give you a little quiet time

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1 away from your cell phone and it won't disturb anybody
2 near you.

3 As you came in, you should have all received a

4 card, a numbered card. What we're going to do, after we
5 have the opening comments, are just invite people who
6 would like to come up and make comments. There's a
7 microphone right down here I'll ask you to come up to.

8 The wonderful thing about this Cascade Theater,
9 which, by the way, was built in 1935 and renovated in
10 August of 2004, is that there's plenty of room and it's
11 a beautiful facility, but it does feel a little funny
12 looking down on everybody and everybody looking up. The
13 good news, we have plenty of room but we're not very
14 intimate.

15 We would ask you to come up to the microphone.
16 When you get there, state your name, spell your last
17 name for us so we are sure to get it correct in the
18 record. If you can state where you're from, if you
19 represent an organization, what organization that is.

20 As I mentioned, Debbie is the court reporter.
21 She will be recording everything, so we ask only speak
22 from the microphone.

23 If you're not comfortable speaking today or you
24 think of more things later, on that card there's a
25 website address that you can submit electronic comments,

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1 go in and submit electronic comments.

2 There's also a mail address and a fax address
3 if you'd like to fax, a fax number if you'd like to fax
4 comments in. We encourage you to do that.

5 Because we have -- I believe we have 80 or 90
6 people, I'll have a final count shortly. And our
7 experience in most other meetings -- as I mentioned,
8 this is the 14th -- many of you do want to make
9 comments. We'll ask you limit your comments to two
10 minutes. That is about one page typed up in big type,
11 double spaced, about one page double spaced.

12 I will hold up this card when you get to two
13 minutes and you'll have about another 30 seconds, and
14 I'll let you know when your 30 seconds are up.

15 We finally developed a process that gives
16 everyone a fair chance to be heard and be able to get as
17 many people as we can possibly get in in the time we
18 have today. And we will go to -- we're scheduled to go
19 until 4:00 o'clock. If we have to go longer, we'll go
20 longer until every last person gets heard.

21 Before we get to the comments from the folks
22 here on the podium, I'd like to introduce a few people
23 that are here.

24 Again, given the size of the group and the
25 number of meetings across the country, it's not a

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1 session where we'll have time to take question and
2 answer kind of session. We won't be able to respond to
3 questions. There are people not on the podium or other
4 folks here, some of which I'll introduce in a moment,
5 that can answer questions if you have specific
6 questions.

7 First, I'd like to introduce Ron Reed. He's a
8 representative from the Karuk Tribe. Ron.

9 Troy Fletcher, representative from the Yurok.
10 Howard Freeman from the Trinity County Board of
11 Supervisors.

12 Dave Muir is a representative from Congressman
13 Wally Herger's office.

14 Lynn Brooks is the assistant state
15 conservationist from the Natural Resource Conservation
16 Service in the back.

17 Tom Tidwell, forester from the U.S. Fish and
18 Wildlife.

19 MR. TIDWELL: Forest Service.

20 MR. CASE: I'm sorry. I'll pay for that. From
21 U.S. Forest Service.

22 Sharon Haywood who's the forest supervisor at
23 the Shasta Trinity National Forest, which is again part
24 of the U.S. Forest Service. Is Sharon here?

25 MS. HAYWOOD: Yes.

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1 MR. CASE: Back there. Okay.

2 Jim Smith, the project engineer for the
3 Red Bluff office of Fish and Wildlife office for the
4 U.S. Fish and Wildlife Service in the very back. And
5 Jim's been helping me put this whole meeting together.

6 And then Ryan Broddrick. I think Ryan was
7 planning to attend. He's the Director of California
8 Department of Fish and Game.

9 One of the persons here is Lloyd Riley. Lloyd
10 is the father of John Riley, a special assistant to
11 Secretary Rey. John is the one that travels around,
12 makes sure all the things are just right and everything
13 works fine. And Lloyd, his father, actually provided
14 free shuttle service so the government did not have to
15 pay for them to come from the airport or back. He'll
16 shuttle them back and forth.

17 It's my great pleasure -- I think the folks are
18 going to stay at their seats and speak from their seats.
19 The first person going to speak is Wayne Nastri from the
20 U.S. Environmental Protection Agency.

21 MR. NASTRI: Thank you. And welcome to all of
22 you, too. And we thank you for taking time out of your
23 busy schedule. We know how valuable your time is and we
24 really appreciate the fact you're willing to spend that
25 time to share with us your thoughts, your perspectives.

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1 When Administrator Johnson of the United States
2 Environmental Protection Agency came on, President Bush
3 asked him to accelerate the pace of environmental

4 protection while maintaining our country's economic
5 competitiveness.

6 A little over a year ago we learned how that
7 can be put into use in a very dramatic fashion through a
8 cooperative conservation conference in St. Louis. We
9 learned working together in partnership and
10 collaboration we can truly accelerate the pace of
11 environmental results.

12 And what we're doing is following up on that

13 conference and trying to continue to learn ways we can
14 provide results that all of us need. We need to learn
15 about some of your thoughts, some of your concerns.
16 That's why it's so important and why we appreciate so
17 much of what you're doing and spending your time with us
18 today. I look forward to hearing your thoughts and
19 comments and again appreciate your time.

20 MR. CASE: Thank you.

21 Steve Thompson of Fish and Wildlife.

22 MR. THOMPSON: Sure. I thank you very much for
23 you taking your time out and it's a great opportunity
24 for us to listen and learn. And I've been asked a
25 couple of times what I'm going to get out of this, and

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1 I'm not sure exactly. But as you talk to me, I know
2 that I'll be a better public servant having heard from
3 you what the issues are, how you feel about them, and
4 how we can do a better job and be more efficient and
5 effective.

6 I'm really going to be very short today and
7 listen and hope that I can learn a couple of things that
8 will help us to do a better job out there on the ground
9 to get functional resources and functional solutions.

10 I went out to Clear Creek today and toured it
11 with a bunch of folks, and a tremendous amount of
12 exciting opportunities are happening right here in the
13 Redding area. So thank you for what you're doing in the
14 landscape and please help us do a better job.

15 MR. CASE: Thanks, Steve.

16 Next, Scott Rayder with NOAA.

17 MR. RAYDER: Thank you and good day. I have
18 the disadvantage of being one of two gentlemen from
19 Washington. Wayne and Steve have the benefit of being
20 here in the region.

21 I should say I did some work personally last in
22 1988. I'm a hard rock geologist by training. I have to
23 say on behalf of Secretary of Commerce and my direct
24 boss -- he wanted to be here, Secretary Weinbacher
25 wanted to be here. He's in Georgia. We are here to

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1 listen.

2 We understand not all the world's greatest
3 ideas emanate from Washington. There's some great ideas
4 from the people out here in the region. We look forward
5 to listening to them. Thank you for your input today.

6 MR. CASE: Thank you, Scott. And Mark Rey,
7 Under Secretary for U.S. Department of Agriculture.

8 MR. REY: Thank you, and thank you for being
9 here today. The listening session you're attending
10 today is a continuation of an initiative. It's the
11 embodiment of President Bush's vision and philosophy for
12 conservation, environmental stewardship, and it's called
13 cooperative conservation.

14 In keeping with this philosophy, the President
15 signed an Executive Order in August of 2004 entitled
16 Facilitation of Cooperative Conservation that will
17 direct five federal agencies, including the Department

18 of Agriculture, Commerce, Interior, Environmental
19 Protection Agency, to implement laws related to the
20 environment and natural resources in a manner that
21 promotes cooperative conservation with an emphasis on
22 local inclusion.

23 To facilitate implementation of that order, the
24 President called for White House conference on
25 cooperative conservation that Wayne mentioned and which

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1 was held last summer. And looking out at you with the
2 bright lights, I can recognize a few of you who were
3 there last summer in St. Louis.

4 That conference was the first White House
5 conference on the conservation related subject in over
6 40 years, the last one being 1964, Johnson
7 administration.

8 During that historic conference, the nation's
9 leaders in conservation and environmental stewardship
10 generated a wealth of suggestions and ideas for
11 implementing the principles set forth in the cooperative
12 conservation executive order. Many of those ideas are
13 already being implemented across the federal
14 government.

15 We're here today to continue the dialogue that
16 began in St. Louis, and we'd like to hear your ideas on
17 five specific issues.

18 First, on ways to help states decide, local
19 communities, private landowners and other partners
20 understand and use the variety of federal environmental

21 conservation programs.

22 Second, on ways to effectively coordinate among
23 federal agencies or managers and local landowners and
24 state to achieve concrete, specific, on-the-ground
25 results.

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1 Third, how to effectively include nonfederal
2 partners in decision making and alleviate disincentives
3 for cooperation in achieving environmental stewardship.

4 Fourth, on ways to effectively use science to
5 inform decision making.

6 And finally, how to resolve conflicts in this
7 in the requirements of various federal law.

8 As the leaders responsible for implementing
9 environmental and conservation efforts in your
10 community, you're in a good position in this vast state
11 to lead by example and principles of cooperative
12 conservation.

13 And so on behalf of President Bush, and in my
14 case specifically Secretary of Agriculture, thanks for
15 having me here and I look forward to hearing your
16 thoughts today.

17 Now what's going to transpire is fairly unusual
18 in that we federal bureaucrats are going to shut up and
19 just listen.

20 MR. CASE: Thanks, Mark.

21 As I mentioned, for those of you who didn't

22 hear the introduction, the process is there's a
23 microphone down here. We'll start with No. 1, and if
24 nobody jumps up when I call a number, I will go on to
25 the next number. If you would like to speak, if you can

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1 come down to this microphone.

2 We would appreciate if the first five can start
3 trickling down, that way we won't have to wait,
4 especially a large group, wait for people to come up.
5 We'll ask you to state your name, spell your last name,
6 if you represent an organization.

7 My role here today is to make sure I keep
8 everything moving along and keep everybody on time. As
9 I mentioned, you'll have two minutes and I'll show you a
10 card. Just kind of wave it this way (indicating). I'm
11 letting you know you have another 30 seconds.

12 I was taught that it's impolite to interrupt
13 somebody when they're speaking. Little did I know it
14 would be my job to have to interrupt people. I do
15 apologize in advance and I know it's not polite, but I
16 apologize. I have to interrupt you if you go over the
17 two minutes and 30 seconds.

18 With that, I'd like to go ahead and get
19 started. No. 1.

20 MR. SUILICH: Lucky No. 1. My name is Rick
21 Suilich, last name is S-u-i-l-i-c-h. I'm a retired
22 Forest Service forester and now I'm a private
23 consultant.

24 I wanted to start with many years of
25 regulations and court decisions have made NEPA and ESA

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1 very cumbersome. Costs for NEPA and the social
2 consultation almost become prohibited. And a typical
3 Forest Service timber sale now costs on the average of
4 250 to \$300,000 to complete, and I've seen some as high
5 as three-quarters of a million dollars.

6 Also, NEPA has become a time machine for its
7 employees. An average NEPA document now takes one and a
8 half to two years to complete, and I've seen some go
9 over four years in many cases. That hurts. That's
10 because there's too much in-depth analysis required due
11 to the regulations and conflicting tort case decisions.
12 All the conflicting makes difficult decision making.
13 It's time for a change, public involvement and
14 collaboration.

15 Employee morale in the agencies is very low.
16 That's one reason, because they don't have the ability
17 to utilize the professionalism they were hired for.
18 Land management is being dictated by nonprofessionals
19 and those with personal agendas. What was known as
20 public involvement has in many cases become public
21 interference.

22 Appeals in litigation. It's too easy to tie up
23 projects with the appeals in litigation. And the
24 adversaries who do that are not accountable for their
25 actions. If they win, they get paid to recoup the costs

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1 they incurred for appealed litigation. If they lose,
2 the government still pays because they can't recoup the
3 costs associated with the appeals in litigation.

4 Also, the costs for appeals in litigation are
5 not part of the normal budget. I heard one Forest
6 Service employee say if it appears it will get into
7 litigation, they will not do the project. Appeals in
8 litigation costs and court settlements, it will break
9 their forest budget.

10 Adversaries have no problem blackmailing
11 decision-makers doing ESA consultation. Too many
12 agencies and individuals are involved with
13 consultation. Let the project agencies' specialists
14 make determinations on biological opinions.

15 The Forest Service was once considered a land
16 management agency in the world. I now wonder if it can
17 be called a land management agency with 70 percent
18 dollars spent on NEPA, ESA, and court cases and less
19 than 30 percent on actual implementation. Makes one
20 wonder what's gone wrong. Thank you.

21 MR. CASE: No. 2. No. 3, 4, and 5, if you can
22 come up to the front row. Go ahead.

23 MR. BJORK: First, I'd like to thank you for
24 this listening session and Under Secretary Mark Rey for
25 attending. I'm Ron Bjork, B-j-o-r-k, President of

0017 Jackson County Farm Bureau.

1 I would like to talk about a project to improve
2 the Bear Creek and Little Butte Creek watershed. This
3 is proposed as a regional solution to use water wisely
4 to benefit agriculture, irrigation and municipality, the
5 environment, recreation and fishing interests.

6 We should increase stream flows and improve
7 water quality. There will be about 300 miles of
8 pipeline with some lines from the municipal treatment
9 plant. This will allow for sprinkler and gravity flow
10 irrigation from three irrigation districts.

11 The Bureau of Reclamation is due to complete
12 the Field Study/EIS which is about one-third done.
13 Senate approved the project and the full House is yet to
14 vote on the bill. Once approved, the FS and EIS should
15 be done in about a year. The City of Medford provided
16 the funds for the first one-third of the FS/EIS.

17 I would like to ask that the ESA be updated.
18 It has been 31 years since it became law. While its
19 intentions were good, the reality is that we've done a
20 terrible job of saving and recovering species, less than
21 1 percent.

22 It's time to update, modernize the ESA
23 regulations so that the federal agencies use the best
24 available science -- I'd like to repeat that

0018 word, science -- in decision-making, incentives exist to
1 encourage landowners to participate in the recovery
2 effort. Thank you.

3 MR. CASE: Thank you. No. 3. No. 4.

4 MS. ALLEN-DIAZ: Good afternoon, gentlemen. My

6 name is Barbara Allen-Diaz, A-l-l-e-n dash D-i-a-z, and
7 I'm a professor and chair in rangeland management at the
8 University of California at Berkeley. And good to see
9 you.

10 Today I'm representing the Society for Range
11 Management. I have been with SRA for over 30 years and
12 I'm proud to discuss with you today an issue between SRA
13 and the Cooperative Conservation Initiative.

14 The Society for Range Management and its 3600
15 members have a long history of pursuing cooperative
16 conservation principles on America's range lands. And
17 since its founding in 1948, the society has encouraged
18 private and public rangeland owners, managers, and users
19 to collaborate to find solutions to resource problems
20 and issues through education, facilitation, and
21 training.

22 In order to provide the highest quality service
23 and information for America's rangeland, it's critically
24 important to have highly qualified rangeland
25 professionals making management decisions on federal

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1 rangelands.

2 SRMA is a way in this area of California and
3 nationally with the California Certified Rangeland
4 Manager Program and nationally with Certified
5 Professional Rangeland Manager Program, both of these
6 programs require academic training in rangeland ecology
7 and management, in addition to at least five years
8 experience with both California and national programs,
9 auditing continuing education credits of the certified
10 professionals in order to ensure that these
11 professionals maintain state-of-the-art knowledge and
12 operate within the strict SRMA code of ethics and
13 professionalism.

14 In California, management recommendations on
15 all private range lands with greater than 10 percent of
16 cover of trees must be developed or by conservation with
17 a certified rangeland manager. The certified rangeland
18 manager can also be licensed by the State Board of
19 Forestry under the Forestry Licensing Act.

20 The Society for Range Management plays a
21 leadership role in sustaining America's rangelands, and
22 our CRM program is one way that we provide best
23 management practices, high-quality research that leads
24 to management of private rangelands. Why, I should ask,
25 do federal rangelands deserve less or have lower

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1 standards for professional input than our private lands?

2 MR. CASE: Thank you. No. 5.

3 MR. TOMASCHESKI: Hi, my name is Dan
4 Tomascheski, vice president, Sierra Pacific Industries
5 based in Redding. T-o-m-a-s-c-h-e-s-k-i.

6 First, ESA. ESA currently discourages
7 landowner research on species, discourages to manage
8 habitat for the species and provides little incentive
9 for reintroduction of species.

10 Some things that can be done to improve the Act

11 is to reward agencies and their personnel of the truly
12 cooperative conservation efforts through public
13 recognition as well as specific funding for them.
14 Broadly, opportunity for experimental population
15 designation for reintroduced species so more landowners
16 will consider this option.

17 Require peer review of wildlife research by
18 scientists outside the scientists doing work on
19 individual species. Too often they peer review their
20 work. Remain de facto policy makers instead of the
21 impartial research scientists.

22 Require independent statistical analysis before
23 any of these research results are relative. Statistical
24 analysis also reveals the conclusions reached in these
25 wildlife studies are not supported.

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1 On ESA reform, we believe there should be more
2 effort to contract with outside firms to do more
3 documents.

4 Develop a higher level of expertise to review
5 the documents before release. Also contract this review
6 with outside contractors who have an excellent record of
7 putting together environmental documents that are
8 effective and stand the test of litigation.

9 Require on the ground, for projects where
10 litigation is likely, OGC and DOJ level of expertise
11 meet the case law body at its best. Some individuals
12 are very experienced and committed to defending the
13 agency; others are inexperienced. Thank you.

14 MR. CASE: Thank you. No. 6.

15 MR. LENHEIM: Thank you for this opportunity.
16 My name is William Lenheim, L-e-n-h-e-i-m. I'm from
17 Redding. I represent the Fly Fishers Area 5 and also
18 Shasta Fly Fishers.

19 I want to address a couple of issues and one is
20 the Klamath River. The Trinity River for Recreation
21 Project they have there, I want to say in 40 years of
22 working with agencies, probably the most accepted
23 project I've ever seen.

24 The reason for that, everybody is working
25 together with a minimum amount of bureaucratic red tape

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1 involved. They're actually getting a river brought back
2 to pre -- hopefully pre-dam existence.

3 On the other hand, Klamath River has been
4 destroyed, as we all know, by bad bureaucratic moves.
5 We all know that that hot water deal and lack of water
6 on the Klamath a couple years back decimated the salmon
7 runs on the West Coast.

8 Over 700 miles of fishery was closed down and
9 millions were lost to the fisheries' industry, not only
10 sports fisherman but also the commercial fisherman.

11 We need to cut the red tape out. We need to
12 get the laws working in a direction they're supposed to,
13 and the Endangered Species Act is one way helping to
14 save the resources we have left.

15 We are the trustees of the country that we live

16 in. We are the trustees of the forest industry as well
17 as our families and others. We have got to make sure
18 that we continue the strong program to protect their
19 interests. Thank you.

20 MR. CASE: Thank you. No. 7.

21 MR. BISCHSEL: Thank you. My name is David
22 Bischel, president of the California Forestry
23 Association. B-i-s-c-h-e-l. We're a training trade
24 association, represents over four million acres of
25 working forest in the state of California as well as 90

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1 percent of the primary manufacturers of wood products.

2 I would like to just quickly address three
3 significant issues that we hope you address through this
4 collaborative cooperative conservation effort.

5 One is the updating and modernization of the
6 regulations related to the Endangered Species Act.
7 Secondly is streamlining the NEPA regulations which are
8 so convoluted they've become self-defeating in being
9 able to comply with those. And third is the need to
10 continue to put resources and address what I believe is
11 the most significant environmental problem facing the
12 state of California, which is the risk of catastrophic
13 fire and declining health of our forests.

14 And in that regard, we sit here in California
15 with nearly every single air base is nonattainment for
16 particulate matter, and yet we have catastrophic
17 wildfires even to the extent that prescribed fires that
18 are used are being done basically in nonattainment,
19 No. 1, and we have an unusually large amount of those
20 get away largely because of the unhealthy levels of
21 forest fuels.

22 In terms of ESA, certainly critical habitat is
23 a big issue. What started out as an issue focused on
24 public lands through a nexus of any federal permit has
25 turned into private lands, and that entire issue needs

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1 to be revisited as to what constitutes critical habitat
2 as opposed to every acre of potential habitat.

3 And dealing with the recovery planning process,
4 we have folks that have been trying to develop habitat
5 conservation plans that have literally taken decades,
6 millions of dollars, and no ending process. I think HCP
7 regulations need dramatic change.

8 Finally, I'd like to say I did participate at
9 the cooperative conservation conference back in
10 St. Louis. I thought it was an excellent start;
11 fantastic example of cooperation. But our problem in
12 California is generally our experience has been these
13 are agencies that view their jobs as largely a hammer,
14 and ultimately at some point everything starts looking
15 like a nail. The regulated public, over time we start
16 feeling like a nail and everything that the government
17 does starts looking like a hammer.

18 I would suggest that you can put away your
19 hammer and we'll stop thinking we're nails, and maybe
20 cooperative conservation can work.

21 MR. CASE: Thank you.
22 If you're wondering, so far we've handed out
23 127 cards. No. 8. Next body, if you can make your way.
24 MR. OLIVER: My name is William Oliver. I'm
25 president of the Wintu Audubon Society, chapter of the

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1 National Audubon Society, serving over 300 members in
2 the Shasta County.
3 The Wintu Audubon is open to improvement in the
4 Endangered Species Act and other environmental
5 regulations, but we strongly believe that these
6 environmental laws are necessary and the penalty for
7 noncompliance are essential if we are to preserve a
8 livable environment for future generations.
9 Voluntary compliance I do believe is a
10 beautiful idea but we don't believe that it has a chance
11 of working. In our capital society, short-term profit
12 is the guiding principle and often long-term care of
13 natural resources does not pay.
14 Today you're going to hear -- you may hear a
15 lot of heartwarming stories about environmental
16 conservation similarly performed because it's the right
17 thing to do. And they may be very right and it is the
18 right thing to do, but you have to ask yourself
19 sometimes how many of these would be performed without
20 sanctions if they had not been so before. I think
21 that's really what we have to keep in mind.
22 Changing the subject a little bit. I see your
23 question 3 in the card here. My answer may be naive,
24 but simple one seems to me we ought to return to what we
25 used to do in the previous administration and that is

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1 believe in the science.
2 I attended a meeting not too long ago of a
3 bunch of fish and wildlife scientists who were up in
4 arms about the reports that they sent down to the state,
5 down at the office, which would change to conform one or
6 two preconceived notions the administration had. And I
7 hear this quite often. That's my suggestion, that we
8 actually believe the science we're paying for. Thank
9 you.

10 MR. CASE: No. 9.

11 MS. BAILEY: My name is Nadine Bailey and I'm
12 senior field representative for Senator Sam Aanestad.

13 The senator's district runs from Roseville
14 clear up to the Oregon border with 12 counties. About
15 five of those counties are on fire.

16 And I'd love to be able to welcome you to the
17 beautiful Redding basin and have you look out on the
18 mountains, but you can't right now because for the last
19 three months a lot of the forests that we've been
20 debating, that I've been debating -- I've been before
21 many of you for the last 16 years and we've been having
22 these same discussions about these forests -- we're
23 burning them up right now. And this summer we've burnt
24 quite a few of them up.

25 And, you know, it's too bad this meeting

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1 couldn't be tomorrow because we're supposed to have 40-
2 or 50-mile-an-hour wind and we may burn up a small
3 community. So whatever you do, it needs to be done
4 quickly.

5 I've been working on these issues for 16 years
6 through President Bush, the senior, through the Clinton
7 administration. I've been to watershed groups, to
8 stakeholder groups, to cooperative groups and we're not
9 making much progress. In fact, we're burning more acres
10 now than we've ever burned for the last ten years.

11 So we need to look at what we're doing to these
12 forests because you can't protect wildlife and habitat
13 if we're burning it up. And we're burning one of the
14 areas right now that is critical Coho's habitat.

15 So these are some of the things that the
16 senator will be suggesting, some major changes to ESA
17 and to NEPA in written comments. But he would like to
18 remind you that while you debate and have these
19 meetings, that these communities are at risk and they're
20 communities within his district.

21 And he's been out several times just in the
22 last couple of months wondering whether or not there
23 would be any towns left. So this is not just something
24 that we can do, you know, in the next few years. It
25 needs to be done right away whatever changes are made.

0028

1 Thank you.

2 MR. CASE: Thank you. No. 10.

3 MR. MCKINLEY: Good afternoon. I'm Russ
4 McKinley, M-c-K-i-n-l-e-y, one of the 10,000 employees
5 that works with Boise Cascade, make wood products. And
6 people build homes; we use trees to do that. And we
7 appreciate the spirit of this administration to take
8 comments.

9 We'd like to see an increased state role in the
10 Endangered Species Act, the salmon plan. And the
11 Washington forest and fish rules are examples our state
12 can probably do a better job than the federal job at
13 least in implementation.

14 I am particularly concerned, being the land
15 manager who managed for 20 years over 25 sites in Elk
16 Creek, and to our complete frustration a fire started by
17 dry lighting ultimately burned up the 14 northern
18 spotted owl sites, riparian area on Flat Creek was
19 completely burned, and the large wood we carefully place
20 for fish habitat was burned. It was a natural fire. No
21 one was responsible.

22 We lost over 20,000 acres of timber which we
23 salvaged. The federal government still has yet to do
24 anything with theirs.

25 The northern spotted owl recovery plan refuge.

0029

1 Uncharacteristic wildfire was the most damaging element
2 to the recovery of the northern spotted owl in the
3 Southern Oregon area, and yet they daily make decisions

4 to not deal with that issue. Two-thirds of the forest
5 land in Oregon is in condition Class 2 or condition
6 Class 3.

7 The long-term issues are not being addressed
8 because of the threats of jeopardy opinions by the U.S.
9 Fish and Wildlife Service and NOAA fisheries. And we
10 think we need to have a much greater emphasis on the
11 long-term effects versus the short-term effects.

12 MR. CASE: Thank you. No. 11.

13 MR. GIACOMINI: Thank you for coming to our
14 community. My name is Henry Giacomini,
15 G-i-a-c-o-m-i-n-i, and I'm a rancher here in Shasta
16 County.

17 The Lassen National Forest, our family runs
18 cattle, training director to our customers. We also
19 farm and produce hay and custom feed dairy replacement
20 heifers. I am a member of Shasta County Farmers as
21 well.

22 We believe cooperative conservation is
23 essential to the success of species, the environment,
24 and the family rancher. Cooperative conservation should
25 make it easier for landowners to protect the species,

0030

1 respect the needs of private property owners and
2 permittees.

3 Our experience has shown how wildlife can
4 benefit from cooperative conservation approach where the
5 rancher is a key player in the process. And I would
6 like to share a few examples representing different
7 aspects of our resources.

8 After a testing of our riparian area on our
9 irrigated pasture from monitoring assistance, we applied
10 through the California Department of Fish and Game
11 Wildlife Enhancement Fund and received a grant from the
12 County Fish and Game fund to install riparian fencing on
13 our grazing lands along Hat Creek.

14 Riparian areas are key habitat for a number of
15 species as well as the fishes in Hat Creek. By fencing,
16 to better management style ranging, we are helping
17 improve habitat.

18 This incentive-based funding from the
19 government allowed us cost effectively enhanced riparian
20 habitat along Hat Creek. Local resources or grants were
21 developed to address natural resource concerns. These
22 committees are a great example of local community
23 collaboration with federal land management in
24 recommending projects to be conducted on federal lands
25 or will benefit resources on federal land.

0031

1 We received a grant to install fencing and
2 developed windmills in order to better manage our
3 grazing allotment and pasture land and water
4 distribution for the benefit of both species and cattle
5 raising. The rangeland just outside of Redding we have
6 leased for the past ten years for winter grazing was
7 recently placed in the conservation easement.

8 MR. CASE: Thank you. No. 12.

9 MR. SIKKI: Hello. My name is Wayne Sikki,
10 S-i-k-k-i. I'm a private landowner who owns rights in
11 the restored wetland in Colusa County.

12 I worked with Fish and Wildlife staff from
13 Sacramento and NRCS to improve 250 acres of wetlands,
14 riparian forest, and native uplands on my property. The
15 restoration efforts involve Fish and Wildlife Service,
16 NRCS Wetland Reserve.

17 For example, funding for the program was an
18 important part of the restoration project, but just as
19 important was the technical assistance received from
20 both organizations. Fish and Wildlife Service and NRCS
21 staff provided technical assistance in development and
22 implementation of the restoration project and continue
23 to provide assistance for the management enhancement of
24 the restored areas.

25 Being an avid bird hunter, my reasons for

0032

1 working for the wildlife agency was to restore wetlands
2 on somewhat agricultural lands for waterfowl. After
3 being involved in the wetland restoration project, I
4 become interested in and maybe more interested in the
5 restoration of riparian forest and native grasslands.

6 Likewise not only fascinated by the waterfowl
7 response to habitat, I also find great satisfaction in
8 habitat use of nongame species including wailing birds,
9 rafters, and song birds. We also have a number of
10 special status species using our food habitat. Beavers
11 had not inhabited the area since it was reclaimed by the
12 department.

13 In closing, I'd like to say I believe this
14 collaborative effort provides a good example of
15 voluntary habitat restoration. In working together, we
16 are able to and continue to attain mutual goals of
17 habitat restoration in a very cost-effective manner.
18 Landowners like myself are the best stewards of the
19 land. Thank you.

20 MR. CASE: Thank you. 14.

21 MR. FARBER: Afternoon. My name is Stu Farber,
22 S-t-u F-a-r-b-e-r. I run the wildlife and fisheries at
23 Timber Products in Yreka, California. We have lands
24 in -- 135 acres in Southern Oregon and Northern
25 California.

0033

1 I'm here to talk essentially about the ESA
2 success stories, that we have a voluntary cooperative
3 spotted owl management program with the Yreka field
4 service. We found in our experience over ten years it's
5 allowed us to continue to manage our private forest
6 lands and yet protect some of the spotted owls, fish and
7 wildlife concerns.

8 One of the things we'd like to see the
9 administration policy makers like yourself continue,
10 this is not a one-side all-approach plan. We have
11 actually contracted local information collected by local
12 biologists and managers. Some people might consider
13 them less.

14 What happens, we find when those kind of plans
15 get to Sacramento, they get to Portland, they get to
16 D.C., all of the sudden one-side, overall approach of
17 the management of the spotted owl.

18 We'd like to see the administration and staff
19 continue to support those. The bad side, we have also
20 tried to go down the habitat conservation route and
21 found that to be a dismal failure, like many other
22 private forest landowners in California. Way too
23 costly. Multi-million dollar approach, multi-year
24 approach.

25 And if you want people to continue or try to go
0034

1 around the NCP, I would encourage you to try and
2 streamline the project and basically put the "no
3 surprises" policy in the law so people know this will be
4 around for perpetuity, for the permanent period.

5 And the last thing is no matter which way
6 anybody goes in this process, there's always going to be
7 some portion of the land or some part going to be taken
8 no matter what. The problem is the private landowners
9 expect to be compensated for that. One way, we have the
10 forest identified surplus lands in California.

11 Why can't we get the Department of Agriculture
12 with the Department of Interior land together for
13 conservation, and have the Department of Agriculture
14 give the lands to the private companies that don't have
15 those. Thank you.

16 MR. CASE: Thank you. No. 15.

17 MR. WEST: My name is Chris West and I'm vice
18 president with the American Forest Resource Council. We
19 represent about 90 forest product manufacturers and
20 landowners in the western states.

21 Under Secretary Rey and others, thank you for
22 coming to Redding to hear our issues and concerns as
23 they relate to the management of our public lands and
24 laws and regulations that dictate that management.

25 First thing I'd like to mention, while NEPA was
0035

1 a simple statute, the last 30-plus years has resulted in
2 the courts adding requirements that are found in neither
3 the statute or the regulations.

4 It is critically important the CEQ regulations
5 are simplified to allow these projects to be more timely
6 and while also reducing the likelihood of them being
7 enjoined by the courts.

8 As I mentioned before, we gather here in
9 Redding with fires around the west burning out of
10 control. And over the last several years, some of the
11 West's finest recreation spotted owl spotting ground has
12 been destroyed by wildfires.

13 Your current policy of lackluster fire
14 suppression in remote areas is allowing these fires to
15 grow uncontrollably, devastating these public values
16 while also burning up private property and managed
17 forest when they escape roads and park boundaries.

18 Furthermore, these failed policies are

19 resulting in fire suppression costs that are breaking
20 the budget and the federal treasury. We would request,
21 before the next fire season, suppression policies to
22 save our forests, critical wildlife habitat, key
23 watershed and private property while also wisely
24 spending taxpayers' money.

25 On behalf of the forest products industry,

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1 thank you for coming to listen to our ideas and our
2 concerns and we will be providing detailed written
3 comments. Thank you.

4 MR. CASE: Thank you. No. 16.

5 MR. ENGSTROM: Good afternoon. My name is Tom
6 Engstrom, E-n-g-s-t-r-o-m. I volunteer my time as a
7 director of the Western Shasta Resource Conservation
8 District here in Redding, California.

9 Our resource conservation district, like one of

10 many across the country, thousands across the country,
11 works closely with Natural Resources Conservation
12 Service and USDA and we are effective, efficient,
13 on-the-ground implementors of conservation projects.

14 Our projects, currently we have 45 projects on
15 our plate. They include the Clear Creek restoration
16 program that Mr. Thompson visited this morning. We have
17 a fuel reduction program going on with private
18 landowners. We have in-stream restoration of fisheries,
19 and we have conservation education going on in
20 classrooms.

21 We heartily support the Cooperative
22 Conservation Initiative. We have been using the same
23 approach we think the administration is proposing here
24 in our own district. I can tell you it's working. It
25 works because we have private landowners who understand

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1 conservation. They're not intimidated by regulatory
2 agencies.

3 We're a nonregulatory agency and we also have
4 the cooperation of federal land managers who've
5 empowered their local employees to serve on our
6 technical advisory committees.

7 Before we started a conservation project, we
8 set up a technical advisory committee and we work out
9 the details so when we present proposals and grant
10 proposals and documents to review, they're ready to go.
11 So we really do appreciate the federal involvement in
12 that. And we have a great involvement from all the
13 agencies here. You can see all the logos of all the
14 agencies we cooperate with.

15 Since we receive no direct tax funding, we rely
16 on grants and contracts to do our work. We encourage
17 those of you working on the Cooperative Conservation
18 Initiative to include grants as one of the vehicles for
19 delivering the product to the land.

20 Grants are our life blood and we are very
21 judicious and very frugal with our grants we receive.
22 The employees are on time and under budget and we always

23 meet that goal.

24 We especially want to applaud a couple of
25 interior agencies doing great work, especially on the
0038

1 grant side of it. They know how to run and administer
2 grants. And these are the Bureau of Land Management and
3 the Bureau of Reclamation. Might also mention Cal Fed
4 also does a pretty good job. These agencies are very
5 efficient and they should be the models for other
6 agencies in their other departments as well.

7 Finally, I would like to leave a copy of our
8 report. You can see all the projects that we've been
9 working on. We have a lot of success stories. We get
10 things done on the ground. We're monitoring and we're
11 just working to better Shasta County's resources, and
12 I'll leave that in the box.

13 MR. CASE: Thank you.

14 MR. ENGSTROM: Thank you very much.

15 MR. CASE: 17.

16 MR. LEDGER: Yes, my name is David Ledger,
17 L-e-d-g-e-r. I'm a businessman here in Shasta County.
18 I sell packaging materials to a five-county area.

19 I grew up in Central California on a ranch and
20 I worked on many ranches when I was young, cattle
21 ranches, meat ranches, hauling hay. And we had a
22 neighbor of my dad's who had a thousand-acre ranch, sold
23 it to a rich doctor in L.A. Came up, fenced off the
24 entire ranch with deer fence and made his employees kill
25 all the deer on the property.

0039

1 There were no permits. Of course this was all
2 illegal. He didn't really care. Three years later,
3 ironically his son asked my dad to go hunting on his
4 land for deer.

5 My friends are ranchers. A lot of them are
6 concerned about conservation. Several have spoken
7 here. But there's some that aren't and they wouldn't
8 care, like that gentleman killed all the deer, kill an
9 endangered species. So I'm a little concerned.

10 Cooperation is really good and stuff we talked
11 about is good, but the Endangered Species Act is going
12 to be weakened. And so some of these people that don't
13 care about the environment and don't care about
14 endangered species are going to be able to harm them.

15 So I urge you to not weaken the laws and
16 enforce all the laws that are currently on the books.
17 Thank you.

18 MR. CASE: Thank you. No. 18.

19 MR. FELLER: My name is Tim Feller,
20 F-e-l-l-e-r, Sierra Pacific Industries district manager
21 in Grass Valley, California.

22 Thank you all for taking time to come and
23 listen to our concerns. We hope the result of previous
24 sessions produce significant in return in the reform to
25 both acts.

0040

1 These acts have been dramatically modified from

2 the original intent by court decisions over the last 30
3 years. ESA and NEPA are now onerous, difficult to
4 conform to and understand. We believe there should be a
5 burden to prove specific harm to stop the projects
6 managed by these agencies.

7 Currently statements like we have not
8 adequately addressed such and such will stop any
9 proposed project. Many agencies do not have an appeal
10 process but USDA Forest Service does. The National

11 Forest Service Act also needs to be updated, not only
12 for ESA and NEPA but other acts as well.

13 Consolidating these actions, environmental
14 standards for analysis purposes will reduce conflict,
15 broad and varied interpretation by the courts.

16 While the court battles rage, there needs to be
17 legitimacy standards. Those real environmental issues
18 which may be significant, the standard for appeal must
19 be raised to a higher level, to raise the bar, on
20 resource potential losses. The environmental should be
21 commensurate with the level of service. There are many
22 projects simply activity repeated on a needed basis and
23 should be not appealable.

24 If the disturbance is a wildlife disease,
25 insect outbreaks, there should be a recognition for

0041 1 these to occur periodically as emergency action needs to
2 be taken to protect wildlife, timber, and other
3 resources in our forest community. These cyclical
4 events should not require a full environmental analysis
5 every time.

6 We have a good understanding of settlement
7 forced conditions with the change over the last 150
8 years and where we're going to go.

9 Resource professionals know more about resource
10 landscape management than any other time in history.
11 It's time, given a clear regulatory authority, to bring
12 our forest back to sustainable condition. This can all
13 be accomplished by ESA, NEPA, and the National Forest
14 Management. Thank you.

15 MR. CASE: Thank you. No. 19.

16 MR. HOLST: Eric Holst, H-o-l-s-t. I work with
17 the Center for Conservation centers which is a program
18 of the Environmental Defense. We're dedicated to
19 conserving and restoring native habitat and recovery of
20 their species.

21 We bring practical, on-the-ground experience
22 from over a dozen states, including California, working
23 with landowners to restore habitat. We focus on two
24 primary tools to accomplish our goal of making
25 restoration easy for landowners.

0042 1 First, pioneer safe harbor, a tool. We worked
2 with Fish and Wildlife Services on this tool to provide
3 assurance to landowners that their works will not result
4 in additional regulation. Over three million acres
5 nationally are covered.

6 Second, we work with landowners to respectively
7 utilize farm or conservation programs, programs that
8 help pay for critical restoration work. These two come
9 together, an example project in Alameda County where
10 we're helping landowners restore stock ponds, working in
11 partnership with local ranchers, local resource
12 conservation district, the NRCS, U.S. Fish and Wildlife
13 Service to restore the greatest stock ponds of the
14 threatened red-legged frog.

15 We helped in drafting the safe harbor agreement
16 and restoration. Technical assistance is being provided
17 by members of the Resource Conservation District, Fish
18 and Wildlife, and the NRCS. This is a project we would
19 like to see a lot of through recommendation.

20 First, the conservation title needs more
21 funding and California needs a fair share of
22 conservation funding. In 1995-2004, California ranked
23 28th in the Farm Bill despite being the No. 1
24 agricultural production state in the country.

25 No. 2, technical assistance funding is critical
0043

1 in order to spend money wisely. The California Wetlands
2 Reserve Program's a good example of this.

3 The third, agencies must distinguish between
4 projects that clearly restore habitat and those that
5 destroy habitat. Projects for restoration and
6 orientation to be previewed quickly and have dedicated
7 staff. The California Fish and Wildlife Service office
8 in the direction Mr. Thompson is a good example of this.

9 And finally, a potential role for public land.
10 The agency, Mr. Rey, the Forest Service has an
11 opportunity along the Highway 80 corridor to educate
12 millions and millions of people about good forest
13 management. And I recommend there be a site right there
14 along the highway, pull people off, show them
15 top-of-the-line, state-of-the-art restoration.

16 MR. CASE: Thank you. No. 20.

17 MR. JACKSON: My name is Michael Jackson,
18 spelled just like that. I'm here today representing the
19 Environmental Water Caucus of the State of California, a
20 group of 21 environmental groups and a number of local
21 groups in the Sacramento Valley.

22 I'm here to tell you that we don't want to see
23 the law changed in any way that would harm the ability
24 to protect a species. We believe that U.S. Fish and
25 Wildlife Service, the Forest Service, and EPA need the

0044

1 law to enable the rest of us to understand the
2 parameters of our negotiations through cooperative
3 conservation or anything else.

4 We do believe that there are streamlining
5 measures which could be taken in regulation and we do
6 believe that what the timber industry said earlier about
7 the fact that the people on the ground are not trained
8 to do paperwork -- I'm a lawyer, I'm trained to do
9 paper -- but the people doing the paper are not trained
10 to do paper. And so contracting is something that you

11 ought to look at.

12 And then as an aside from this, as long as you
13 don't change the laws, we believe there ought to be more
14 opportunity for people outside court settlements.
15 Although court settlements work today, they're
16 announcing after 50 years of the dewatering San Joaquin
17 River, the river is going to come back and the farmers
18 are happy.

19 I'm happy we filed it in '87. I've been to the
20 Supreme Court twice. I'm glad that's over. And I think
21 the settlement itself is an example of what can happen
22 if the laws are strong.

23 And then, Mark, I do want to report for the
24 Town of Quincy where I live that the Quincy group
25 effort, that was one of the first cooperative

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1 conservation efforts in the country, has worked
2 substantively in exactly the way that we hoped it would
3 when you helped us write the legislation, and I want to
4 thank you for your work. It's hard for a Democrat to
5 thank the Bush administration, but I do.

6 And what I want to tell you is that there's
7 still problems and they're in litigation. I didn't
8 expect to ever end up defending the government, but the
9 problems are solvable. They are problems with judges
10 who do not understand the facts. It's not about the
11 law. The Ninth Circuit mistakes, and there are some
12 that were not about the law, they were about the facts.

13 MR. CASE: Thank you. No. 21.

14 MR. DELFINO: Good afternoon. My name is Tim
15 Delfino, D-e-l-f-i-n-o, and I am a California program
16 director for Defenders of Wildlife and also serve as the
17 vice chair for the Central Valley Joint Venture.

18 The mission of the Central Valley Joint Venture
19 is to work collaboratively to protect, restore, and
20 enhance habitat for a wide varieties of birds,
21 waterfowl, shore birds. And this work has resulted in
22 very good partnerships with farmers in the Central
23 Valley.

24 Defenders of Wildlife similarly places a larger
25 emphasis to cooperative private lands. There may be

0046

1 some coming up today talking about the California
2 Rangeland Coalition which we are actively involved in
3 and have been working to continue to further that work.

4 The Endangered Species Act has paved the way by
5 bringing people together to address conservation needs;
6 however, there are still huge needs that must be
7 addressed if we want to see this conservation move
8 across the landscape.

9 I touched on some of the really key issues.
10 I'm going to highlight a couple more. I do go back to
11 the issue of funding, though. While he talked about
12 Farm Bill funding, a couple of programs I want to
13 highlight that are underfunded and examples of a whole
14 variety of programs that remain underfunded that are
15 there to promote conservation.

16 One is the landowner incentive program. That
17 program is a great program used very effectively in the
18 Central Valley. Funding's been drastically cut from 44
19 million in 2003 to 10 million in 2007. That's a
20 travesty.

21 We also need to expand outreach to farmers and
22 rangers and landowners in terms of workshops and guides
23 and online information about these programs. We also
24 need better program coordination, better management and
25 coordination of these kind of programs, particularly the

0047

1 wildlife agency, specifically tasks facilitating
2 programs, proactive conservation programs on private
3 lands.

4 We view all these suggestions important. We
5 want to make clear this is not a substitute for strong
6 underlying conservation laws.

7 We also want to be clear while we urge staffing
8 and funding that the administration does not simply
9 re-allocate existing dollars for our funds, starve and
10 underfund agencies, but instead promote new dedicated
11 funding and staffing in addition to funds already
12 received by these agencies.

13 Through that, I think you will be able to see
14 more and better cooperative conservation on the
15 landscape.

16 MR. CASE: Thank you.

17 MR. CASE: 22, 23, 24. 23.

18 MS. BOOTH: Good afternoon. My name is Phaedra
19 Booth, B-o-o-t-h, and I'm the outreach for the Defenders
20 of Wildlife.

21 The main focus of my work here in California is
22 actually building good species protection through
23 partnerships with a number of various agencies and
24 farmers and ranchers. And in my experience, I have
25 actually volumes of support for cooperative conservation

0048

1 from farming and ranching communities and do not believe
2 that a strong agency is prohibited.

3 For example, the farmers. Cindy Lashbrook
4 farmed 150 acres of organic blueberries and almonds.
5 She is very informed of federal programs and integrates
6 large areas of restoration on her farm. Cindy is a
7 classic example of many farmers who do not see the
8 Endangered Species Act as a profitable business and
9 farmers sustainable in a wildlife friendly manner.

10 Cooperative conservation and landowner
11 partnerships are vital tools to prevent extinction and
12 helping recover the fish and wildlife. Indeed, the
13 Endangered Species Act has paved the way by bringing
14 people together to restore local conservation needs.

15 Defenders of Wildlife support the Endangered
16 Species Act to engage private landowners through the use
17 of incentives similar to those offered through the Farm
18 Bill conservation program. We need staff funding and
19 emphasis to promote partnerships, species conservation
20 on private lands. Thank you.

21 MR. CASE: Thank you. No. 24.

22 MR. SCHIFF: Good afternoon. My name is Damien
23 Schiff, S-c-h-i-f-f, and I'd like to focus my comments
24 today on what we believe BLFR regulatory amendments to
25 the Endangered Species Act. The Act has been described

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1 as taking of species, and "taking" defined harming
2 species. The Secretaries have defined harm as including
3 significant habitat modification that results in the
4 death or injury of this species, but in practice this
5 tends to be generally a prohibition on any habitat
6 modification.

7 And we think an appropriate clarification uses
8 definition would include a requirement of a distinct and
9 concrete injury or death to a particular animal or
10 wildlife is necessary before there can be harm under the
11 Act.

12 Secondly, the Act also requires that critical
13 habitat be designated with listing of species. And
14 critical habitat is defined as that area which is
15 essential to the conservation of the species and which
16 contains the species physical or biological features
17 essential to that end.

18 When they defined critical habitat, oftentimes
19 say it is enough that any particular area have only one
20 of the species' essential physical or biological
21 features. And we submit that is illogical, that no
22 particular area can be essential to the conservation of
23 the species if it doesn't have all the things that the
24 species need in order to survive.

25 So we would suggest designate critical habitat

0050

1 in the areas contain all the things the species need for
2 conservation purposes.

3 And lastly I'd like to focus my attention
4 briefly on the question of Section 7 conservation. Says
5 specially in the context of irrigation projects and
6 federal dam operation, Pacific Northwest. Oftentimes
7 the proposed projects have discretionary,
8 nondiscretionary elements. We believe that to the
9 extent that the proposed project is discretionary there
10 should be Section 7 consultation.

11 To the extent the proposed project is
12 nondiscretionary, there should be no consultation and
13 the service should only focus upon that which the
14 agencies have control rather than that which is mandated
15 directly by the Congress. Thank you.

16 MR. CASE: Thank you. 25.

17 MS. EYZAGUIRRE: My name is Claudia
18 E-y-z-a-g-u-i-r-r-e. I'm with the chapter for Audubon
19 California. Audubon California represents 50,000
20 members across the state from all the way to the
21 Imperial Valley. And our members worked to protect,
22 restore endangered species such as bald eagle, falcon,
23 and snowy plover. In our representation, committed to
24 conservation, has allowed us to work and to start a
25 program I'm here to talk to you about today.

0051

1 The landowner leadership program works with
2 farmers and ranchers on habitat and compatibility with
3 our co-operations. To date, we have worked with more
4 than 50 farmers in dealings with Solano, Imperial, and
5 Napa counties on projects to restore wetlands and
6 thousands of acres of the Central Valley including
7 habitats.

8 Cooperative conservation, what this program is
9 known for, only works if you preserve to protect the
10 Endangered Species Act. We started this program in 1999
11 from the desire of Yolo County landowners to further
12 demonstrate their excellent land stewardship,
13 protections and activities and show that species
14 protection and habitat conservation can be compatible
15 with agricultural operations.

16 This has been a challenging but rewarding
17 process and the demand is increasing throughout the
18 state for implementing conservation projects, and the
19 benefits of the collaboration between private landowners
20 and conservation and farming community have been
21 demonstrated.

22 We cannot say enough about our strong
23 partnership with NRCS, local RCDs. This partnership
24 provides links for landowners to technical and financial
25 assistance and outreach education activities.

0052

1 Nevertheless, many obstacles exist to
2 implementing these programs we talked about. The number
3 one obstacle is funding. We see the need for new
4 dedicated funding be made available by landowners to
5 implement habitat projects and also greatly to
6 synchronize the funding cycle for private land
7 conservation between a variety of federal agencies.

8 We also see that grant administration needs
9 streamlined. These are the kind of changes we'd like to
10 see, streamline application, contracting, invoicing, and
11 reporting process.

12 The particular issue is funding. A lot of our
13 programs comes from the Farm Bill and we'd like to see
14 continued funding and support for conservation programs
15 initiated. Funding needs to be increased. And we look
16 at the federal budget for FY '07, we see a reduction in
17 these programs.

18 MR. CASE: Thank you. 26. 27.

19 MR. LEVINE: My name is Alan Levine and I
20 represent Coast Action Group. L-e-v-i-n-e. Coast
21 Action Group and myself are located in the watershed of
22 the Garcia River, Point Arena, California, and I'm
23 speaking to you as a somewhat retired rancher and avid
24 supporter of TMBL. I ran cattle on over a thousand
25 acres of land and grew hay on that for about 15 years.

0053

1 The land was mostly rented.

2 Also during that time and through my ranching

3 activity I was invited to be part of the Garcia

4 Watershed Advisory Group which later became or
5 participated in the Garcia River. First TMBL adopted in
6 the state of California.

7 The Garcia TMBL has been successful. There was
8 a lot of initial problems, resentment and resistance by
9 the agricultural and forestry community. But now we
10 have 70 percent of all the land in the Garcia River
11 under voluntary cooperative participation.

12 There's one timber company, Mendocino Redwood
13 Company, has 12,000 acres in the Garcia watershed and
14 they are positively and actively participating. In
15 fact, they put all their lands under the same auspices.

16 They own 200,000 acres of land in Mendocino
17 County, another 24,000 acres of land that's in active
18 participation with the new Garcia watershed forest
19 projects, new restorative forest project happening in
20 the Garcia River.

21 We're getting cooperation and we're seeing
22 results. And the results would not occur if it wasn't
23 for the TMBL process. It helped us get restoration
24 funding, educated the land users.

25 And I'm not talking about a watershed, the
0054

1 Garcia River that was hammered. It was brought to less
2 than 5 percent of the base timber, merchantable timber
3 inventory; 95 percent was gone and -- 95 percent of the
4 timber was gone. And now that process is being reversed
5 and we're seeing huge changes. And those changes are
6 being attested to or supported by evidence from NOAA
7 Fisheries in a document I have here which I'll give to
8 you. They have been checking on the watershed and
9 they've been seeing vast changes.

10 MR. CASE: Thank you.

11 MR. LEVINE: We all need water and I want you
12 all to support that, and I would like to get some more
13 support from NOAA.

14 MR. CASE: Thank you. No. 28. 29.

15 MR. TURNER: My name is Bill Turner. I'm a
16 timber procurement manager with Timber Forest Products
17 in Yreka, California.

18 ESA and NEPA started out simple enough 30 years
19 ago as a way to help facilitate the management of
20 federal lands.

21 These laws have now become the reason federal
22 lands are not being managed. Court decisions and
23 interpretations are cumbersome.

24 Federal land management agencies controlled by
25 this, I can't tell you how many times I've talked to

0055

1 federal land managers, and when we get into
2 conversations about what can be done and must be done,
3 they'll invariably say we can't do nothing because of
4 NEPA or the NEPA documents already passed.

5 One of the things you have to put in is
6 flexibility with the NEPA process. You have to be able
7 to change. We live in a dynamic world. Also, our
8 information is changing daily, too. Unless we can make

9 changes as we go through the process, it's doomed for
10 failure and that's what we're finding.

11 I got a correction notice on a timber sale that
12 just came out saying this timber sale is a thinning sale
13 for standing trees, and the correction notice said,
14 well, they know there's going to have to be some trees
15 cut bigger than 20 inches, they're in the way, to help
16 facilitate the logging corridors.

17 The logic is basically those trees have to be
18 left on the ground on site, not because that's the right
19 thing to do for the forest and the thinning or leaving
20 it there, but because they didn't address it in NEPA.
21 Stuff like that happens daily with the process. Need
22 built-in flexibility. Thank you for your time.

23 MR. CASE: Thank you. No. 30.

24 MR. AMADOR: Don Amador, A-m-a-d-o-r. And I
25 just wanted to say this is an enjoyable role reversal.

0056

1 Usually at this meeting Mr. Rey speaks and I listen. I
2 enjoy this opportunity to share my thoughts with the
3 group.

4 First of all, as a native of Humboldt County, I
5 wanted to welcome you here to Northern California. And
6 rather than explain, we all can do that, I wanted to
7 make the commitment to this group that the off-road
8 community is a partner in the cooperative conservation.
9 We believe in it.

10 Whether it's partnering with the local BLM unit
11 to find a new access chapter in the Shasta recreation
12 area or finding the money, \$60 million to date in forest
13 widening in California to deal with soil erosion, we're
14 there for you.

15 We'd just like to encourage you all of the
16 agencies, when you have an issue, consider extending the
17 hand of friendship before grabbing that hammer. Thank
18 you Fish and Wildlife Service here in Shasta Trinity
19 Forest Service over there if you believe in science and
20 want to be there as a partner in these efforts. Thank
21 you.

22 MR. CASE: No. 31.

23 MR. BROOKER: Good afternoon. My name is Peter
24 Brooker. I'm a program director and officer for the
25 Salmon River Restoration Council. I'm also the claims

0057

1 coordinator and officer for the Klamath Forest
2 Alliance.

3 The topic I want to talk about is cooperative
4 conservation and conservation law are alive and well in
5 the Klamath basin. Sometimes it's uncomfortable but no
6 doubt they go hand in hand, and how do we promote each
7 of these things.

8 As we look at it in the Klamath basin, some of
9 the examples of cooperative conservation -- I come from
10 the lower basin. I served on three advisory committees,
11 chairman for the technical work group. And through
12 those kind of professions, people actually have come
13 together and they will put all the things on the table

14 together.

15 There's local sub-basin type processes that
16 come from local, come out and coordinate with each
17 other. You look at technical issues, political issues,
18 look at whatever they are to try to figure out we can
19 together do those kind of things.

20 That's happening throughout the Klamath basin.
21 I'm lucky enough to participate, partners there. And
22 really lucky enough to have Fish and Wildlife Service
23 folks providing information.

24 One of the things I want to tell you, too, is
25 that, you know, we need more support in Klamath basin to

0058

1 keep the collaborative efforts happening. We built the
2 foundation. What to do? We learned some of the things
3 to do, adaptive management things we need to put in
4 place. We need to push more collaboration to work on
5 solutions to identify problems together, to work on
6 solutions together and that's all. But basically coming
7 from the ground up.

8 I think we also need support for the
9 conservation laws that are in place and programs because
10 they go hand-in-hand, to push those kind of things.

11 One of the examples I want to give you is kind
12 of show some of the work. The spring Chinook salmon for
13 the Klamath basin in the Salmon River where I come from,
14 last year 90 fish. There were 200 fish in the whole
15 Klamath basin and there's no new species set. We have a
16 voluntary work group in place.

17 There's not a lot of "oomf" to move it since if
18 you look at Sacramento where there is ESA in place, a
19 handful of fish are now a couple thousand. I think that
20 shows that has the potential to work and move but that
21 brings focus to it, those kind of things.

22 I'm more an advocate of the Klamath basin
23 simply working together, and bottom line for us to come
24 together and share the ideas.

25 MR. CASE: Thank you. No. 32.

0059

1 MR. MAYO: Dennis Mayo. I'm with Clam Beach,
2 just north of Eureka, Humboldt County. Thank you very
3 much for the opportunity. I'd like to throw something
4 out and leave it here and give you my words.

5 The western snowy plover could be the poster
6 child for all that is wrong with the Endangered Species
7 Act. I'd like to leave two articles in the newspaper
8 that I've gotten, one about Congressman Thompson and
9 doing exactly what I think you all are trying to
10 accomplish.

11 The new models you're trying to emphasize, the
12 cooperative conservation environmental partnerships are
13 the way to go. I'd like to leave those for you to give
14 to the Secretary.

15 Let me say this. This wasn't easy to
16 accomplish and I received no help from local field
17 service or park staff, many of whom actually advocated
18 against us. Fishermen, loggers, farmers, ranchers can't

19 work. We can't pay our bills. There's no
20 accountability with people who get a check every month
21 no matter what their comment.

22 I trained horses for over 35 years, over 3,000
23 horses. At first they want things wild, bucking or
24 running away. But with my steady hand, they learned
25 that being ridden and having a job to do is a great

0060

1 reward for them. Their lives are expanded. As we
2 become partners together, we accomplished things that
3 neither could do alone.

4 The Endangered Species Act is not saving
5 species and it's harming our communities. The new
6 special rule under 4-D must provide relief for property
7 owners doing their best that cannot be tied to
8 unattainable recovery roles, unrealistic bird count
9 totals.

10 With your help, we can do better. We will do
11 better. We can forge partnerships with staff and
12 retrain these agency people to work with us and not just
13 try to buck us off.

14 MR. CASE: Thank you. If you can drop those
15 articles in the box out by the desk. Before we go to
16 the next number, I'm going to ask if you would still
17 like to make comments, if you could raise your hand if
18 you're still planning to make comments.

19 We're going to take a very quick break. These
20 are very talented people but they're not superhuman.
21 Let me pass to go with what they need to do, and we're
22 going to start back in eight minutes. And we'll start
23 right on time, eight minutes. Thank you.

24 (Brief recess.)

25 MR. CASE: 33. If you can take your seat,

0061

1 we'll get started.

2 MR. CHARLTON: Vern Charlton, C-h-a-r-l-t-o-n.
3 I'm retired, 30 years of wildland fire control. I'm
4 here to tell you guys that the locals are pretty tired
5 of all the smoke in the air. And this has become a
6 regular thing for the Forest Service.

7 The current fire policy, apparently "to let
8 burn" policy where inaccessible or wilderness area where
9 it doesn't threaten too many houses, allows the smoke in
10 the air or allows them to ignore NEPA and which is the
11 environmental thing.

12 It also opens up the emergency fund where they
13 can spend pretty good, spending millions of dollars.
14 And this has become pretty evident for the locals in the
15 north state.

16 This policy allows the weather to turn on you,
17 and I think we're going to see some of that shortly.
18 Typically in September we get weather with lots of north
19 wind, and these fires come alive. And we've got tens of
20 thousands of acres or hundreds of thousands of acres.
21 And at that time, once it escapes the forest boundaries,
22 it's on private.

23 In spite of what the party line is, the fire is

24 not always good for the forest. Smokey seems to think
25 so, but a lot of timber is destroyed. And obviously

0062

1 from past industry, not a log is cut off of it and this
2 needs to be changed.

3 I think I would say for the most part in the
4 western U.S., the Forest Service runs a close second to
5 credibility with FEMA. Thank you.

6 MR. CASE: Thank you. No. 34.

7 MR. SHOMBEAU: Good afternoon. My name is Ed
8 Shombeau, S-h-o-m-b-e-a-u. I'm a retiree, native
9 Californian, nine years retired now.

10 I was going to go to France when I first moved
11 into the woods in Paradise Pines, and I got so scared of
12 the fire danger around me I canceled and helped start
13 the Butte County Fire Safe Council.

14 There's organizations that are cooperating with
15 all the various agencies, including the state foresters
16 and the federal foresters. Those forester programs,
17 fire safety, the healthy forest initiative, all that
18 stuff needs a lot of cooperation and coordination.

19 The fire safe councils are desperately
20 underfunded. The staffs can hardly keep going. We have
21 a grant clearinghouse in Sacramento run by a friend of
22 mine out of Paradise to try to help the fire councils
23 with funding to do their fuel reduction work and other
24 community services.

25 I heard the man who came up here saying it

0063

1 would be great to have an educational kiosk along the
2 I-80 corridor. One of the biggest problems we're
3 facing, the baby boomers moving into the woods, planting
4 houses not knowing how to manage their piece of the
5 forest. The industrial timber landowners know what to
6 do but the city folks don't.

7 We need to have a program that will encourage
8 the landowners who move into the forest and other areas,
9 the woodlands as well, to use best management
10 practices. Thank you.

11 MR. CASE: Thank you. No. 35.

12 MR. HOWARD: Good afternoon. My name is Hank
13 Howard and I'm from Vallejo, California. And I'm the
14 co-person of the Berryessa for All group.

15 Thank you for inviting us here today and we
16 welcome you to California, especially you from
17 Washington, D.C. I'm hopeful that in this process of
18 cooperative conservation that you will be looking at one
19 of the major features of the -- of this panel, and that
20 is to look at organizational change and cultures of
21 organizations.

22 We are basically concerned about a report card
23 from the OMB rating an agency of the Bureau of
24 Reclamation. Now, I realize that nobody up here is from
25 Interior except the fish people. But as far as -- I

0064

1 hope my comments are carried back to Secretary
2 Kempthorne, our new secretary.

3 We're concerned about this agency because it
4 was rated as adequate with a 57 percent overall rating.
5 In the area of program results and accountability, OMB
6 rated it at 33 percent. This is significant for a
7 government agency to be operating at a below adequate
8 level status.

9 Here in California, the BOR decisions have left
10 an indullable scar upon this state and its economy. The
11 Klamath River decision making basically shut down the
12 entire West Coast fisheries. The water diversion
13 process below Fremont Dam has also taken another river
14 out in California. That's the once mighty San Joaquin
15 River.

16 At Lake Berryessa, which I'm concerned with,
17 there's 25,000 people at odds with the government. They
18 are at odds because of a record decision to take away
19 1300 trailers and mobile homes that surround the lake.
20 And this is unprecedented in U.S. history.

21 In the area of building conservative
22 conservation, there are too many cross-cutting themes
23 missing and maintaining from this organization of the
24 BOR. Effective communications are not in the agency's
25 forte. It's a time for a change and changing the

0065

1 organizational culture.

2 MR. CASE: Thank you. No. 36.

3 MR. REED: Hello. Thank you very much for
4 having this listening session. My name is Ronnie Reed,
5 R-e-e-d. Today I'm representing the Karuk Tribe of
6 California, the second largest tribe in California.

7 Today I'd really like to talk about a slightly
8 different perspective. I would say that everything I
9 read this morning in you guys' one piece of paper, I
10 think we're currently doing the Klamath River basin.
11 I'm involved in the FERC electric licensing. I'm also
12 involved in the Klamath TMBL process, and what has
13 occurred in all those processes is a true collaboration.

14 And if I may, I might boast that the true
15 collaboration is with the Klamath water users in the
16 upper Klamath basin. We are collaborating with the
17 Shasta or Siskiyou RCDs in California. And I might want
18 to emphasize that those are -- Shasta, Scott, and
19 Trinity River -- are key tributaries to the Klamath
20 River, but we must not forget about the mid Klamath
21 tributaries, the key tributaries in the Klamath River.

22 I'd also like to speak about the true
23 collaborative effort that is happening, but I'd also
24 like to speak about the ESA. The ESA, it's a little
25 slightly different perspective because the Karuk people

0066

1 depend on those ESA species for food.

2 And in order to be able to provide a way of
3 life for the Karuk people and other natives in the
4 basin, we need to get away from single species
5 management. Meaning that while we're diligent with our
6 efforts in trying to restore the Coho salmon where I'm
7 at, meanwhile we have the sturgeon, we have other key

8 species that we depend on that are in a perilous state
9 right now.

10 I would like to say that with that, the single
11 species management is one of the key issues. And thank
12 you very much.

13 MR. CASE: Thank you. 37. 38.

14 MR. SWIFT: Good afternoon. I'm Jack Swift,
15 S-w-i-f-t. I drove down from Grants Pass, Oregon, this
16 morning so as to be able to be here to tell you about
17 what I perceive to be some problems in southern Oregon.

18 I'm not representing any group. I'm simply an
19 outdoorsman. I've been an outdoorsman for 55 years and
20 I've enjoyed the public lands of California, Oregon,
21 Colorado, Wyoming, Arizona primarily because they're
22 public. Nobody puts no trespassing signs on there.

23 Biggest concern under the 1994 Northwest Forest
24 Plan, 80 percent of the Old Oregon/California railroad
25 lands were converted to ecological reserves primarily

0067

1 for the benefit of the spotted owl. That meant no
2 logging, no mining, no clear-cuts, no roads.

3 What the effect has been, it may be great for
4 the owl but it's devastating for blacktail deer which
5 are the big indigenous species up there.

6 In the past ten years, the population by
7 conservative estimates has been decreased by 25 percent
8 at least. The reason is the deer require a disturbance,
9 either a fire or a clear-cut to create the land that
10 provides forage for them.

11 So we ended up with a very simple thing that
12 we're protecting one species to the detriment of
13 another. I would like to see a return to the old
14 sustained yield approach to the utilization of those
15 lands. Balanced and regular introduction of clear-cuts
16 works for the benefit of all the wildlife.

17 The other thing, roadless areas. Those of us
18 over 65, we need roads for access to all this land we're
19 trying to preserve. You say an area's roadless, you're
20 telling us keep out. Thank you.

21 MR. CASE: Thank you. 39.

22 MS. SEVELIUS: My name is Pia Sevelius,
23 S-e-v-e-l-i-u-s. And I'm the district manager of the
24 Butte County Resource Conservation District and I'm also
25 a family farmer who grows almonds in Butte County.

0068

1 I'd like to voice my support for the NRCS
2 conservation security program and EQIP program,
3 Environmental Quality Incentives Program. These
4 programs give eligible producers within selected
5 watersheds payments for conservation on private ground.

6 The Butte Creek watershed was chosen for the
7 CSP program in 2005. Approximately 121 growers were
8 awarded contracts for approximately \$2.3 million. Our
9 district receives calls on a daily basis from growers
10 who are wanting to sign up for the program and are
11 currently being turned away because the program is
12 closed.

13 The European Union provides incentive payments
14 to growers within their commodity payments program for
15 conservation work. If American producers are to be on a
16 level field with the European Union, we need
17 conservation programs that recognize global markets and
18 global conservation. And we're looking forward to
19 avoiding those regulatory hammers that close off the
20 cooperation that's needed between private landowners and
21 the government.

22 MR. CASE: Thank you. No. 40.

23 MR. EYERS: I'm John Eyers, E-y-e-r-s, and I've
24 driven down from Canyonville, Oregon, which is Mile Post
25 100 on I-5 up in Oregon.

0069

1 As I understood, you guys are listening to us.
2 And I'm a gunsmith and I'm a sportsman, and what I'd
3 like to suggest is that all these agencies we've been
4 talking about here today, Forest Service, BLM,
5 Department of Fish and Wildlife cooperate with each
6 other.

7 I had a friend that drew an Antelope tag in
8 Oregon, took nine years of applying before he got it. I
9 knew the area where he was hunting and he did not. I
10 went along as a helper. We got over there.

11 He had bought a new recreation vehicle for
12 \$6,000. He bought a new trailer, U-haul trailer -- I
13 mean toy haul trailer to haul it with for 25,000, new
14 diesel pickup. And I'm equipped about the same way, 60,
15 \$70,000 worth of equipment. Drove 400 miles, \$3.47 a
16 gallon for diesel to get there.

17 We got there and discovered they had just that
18 day closed that entire area for a seed study by BLM, and
19 the Department of Fish and Wildlife didn't know about
20 it. They issued us the tags.

21 We had spent all that time and all that money
22 and everything to go there and find out the area is
23 closed. You know how I feel about that when we get
24 there and find those kind of things.

25 I'm sure if the Department of Fish and Wildlife

0070

1 had known about it, they wouldn't have issued the tags
2 in the area in the first place and, you know, we
3 wouldn't have the problems that we do have.

4 And so road closure areas, when you go into an
5 area, you spend all that money and all that planning and
6 all that time to get there, and then you find another
7 department has closed it down. So just a little
8 cooperation between the two of them.

9 MR. CASE: Thank you. 41.

10 MS. DAWLEY: Good afternoon. My name is
11 Victoria Dawley, D-a-w-l-e-y. I'm the district manager
12 of the Tehama County Resource Conservation District.
13 And I would like to address just a couple of your
14 questions that you sent out ahead of time today.

15 First question is, How can the federal
16 government enhance wildlife habitat species protection
17 and other conservation outcomes through regulatory and

18 voluntary conservation programs?

19 Our answer is the first step is to reduce the
20 regulatory programs and greatly increase the voluntary
21 programs through funding from the Farm Bill and other
22 avenues, as all landowners do not necessarily qualify
23 for Farm Bill funding.

24 And you've heard some specifics about what we
25 need for Farm Bill funding in California conservation

0071

1 programs specifically, funding for technical assistance
2 from the Natural Resources Conservation Service, and
3 equitable share of the Farm Bill here in California.

4 Regulatory measures have only served to foster
5 the shoot, shovel, and shut up attitude of many private
6 landowners. Citizens need to know cooperating in
7 conservation outcomes will not put them at risk for
8 losing their property or change their land management
9 practices.

10 The second question, How can the federal
11 government enhance cooperation among federal agencies,
12 among states, tribes, and local communities in the
13 application of environmental protection and conservation
14 laws?

15 And it's our opinion it is critically important
16 that agencies are informed of each other's programs and
17 activities. And I am following right behind the speaker
18 who gave us a pretty good idea why that's so necessary.
19 It's dissatisfying to private citizens to see the
20 inefficiencies generated by lack of communication and
21 turf wars.

22 Conservation districts throughout the nation
23 can serve as the hub for communication not only among
24 their state and federal agencies but also the
25 nongovernmental organizations that are active in their

0072

1 communities.

2 We are local landowner-driven organizations
3 that were formed to act as liaisons between citizens and
4 federal agencies. Unfortunately, in many instances we
5 spend much of our time, especially here in California,
6 searching for grants and other project money to stay
7 afloat.

8 Base funding from the federal government and
9 from each state would allow us to do the work we were
10 charged by legislation to do. Thank you.

11 MR. CASE: Thank you. 42. 43. 44.

12 MS. RUSSELL-ROY: Hello. I want to thank you
13 all for your patience and attentiveness this afternoon.
14 Emily Russell-Roy, R-u-s-s-e-l-l hyphen R-o-y, with the
15 Pacific Forest Trust.

16 We're a nonprofit land trust and policy
17 organization committed to the protection, preservation,
18 and enhancement of our working private forest lands.

19 Nationally we are losing an average of one
20 million acres of private forest lands each year. This
21 rate of forest loss is greater than any other land use
22 type. Along with our forests, we lose a host of

23 co-benefits such as bio diversity, wildlife habitat,
24 water quality, climate, and local timber economies. As
25 such, the Pacific Forest Trust sees an urgent need for
0073

1 collaboration.

2 One recommendation is to create and foster
3 markets for environmental services such as carbon
4 sequestration along with conservation easements and
5 other programs and initiatives. We're happy to submit
6 comments and provide assistance as possible and look
7 forward to collaborating on these issues in the future.
8 Thanks.

9 MR. CASE: Thank you. 45.

10 MR. FREEMAN: Good afternoon. Howard Freeman,
11 Trinity County Board of Supervisors. F-r-e-e-m-a-n.
12 I'd like to thank you for this opportunity to address
13 you. I actually had a pretty nice presentation to
14 deliver to you today but current events forced me to
15 scribble notes while I was in the audience.

16 Approximately 75 percent of Trinity County is
17 federally-owned lands and Trinity County desperately
18 needs your help. Current interpretation of
19 environmental regulation, NEPA, and ESA have tied the
20 hands of our federal land managers.

21 The Board of Supervisors understands the need
22 for environmental protections but somehow things have
23 gotten a little squirrely, to use a layman's term.

24 Fuel loading in our national forests is at a
25 critical mass. If you need an example today, I ask you
0074

1 to look at Trinity County where the Bar Complex fire is
2 still actively burning. There are three fires: the
3 Oven, the Bake, and the Pigeon that make up this
4 complex. They have burned over 40,000 acres of Trinity
5 County lands that are managed by the Forest Service.

6 While traveling to this very meeting, I arrived
7 here, sat down, my cell phone rang. There's a mandatory
8 notification of evacuation of the Junction City area in
9 Trinity County. Hundreds of citizens will be displaced
10 by this fire.

11 The lack of active forest management is
12 compromising public safety. The Board of Supervisors of
13 Trinity County are frustrated by the fuel loading
14 issue. We are also equally frustrated by the lack of
15 post-fire cleanup. There are fuels laying in our
16 forests rotting which turn from an asset to a liability
17 in a matter of three to five years, the time it takes to
18 get the sale off the ground in many cases.

19 The other issue related to fuel loading and the
20 lack of active resource management of our forest is
21 schools and roads. It hasn't been brought up today but
22 certainly has an economic impact, that currently we have
23 supervisors in Washington, D.C. with their hands out
24 asking for the rural schools' money to be reinstated
25 because we aren't managing our forests.

0075

1 Again, thank you for this opportunity to

2 address you. I hope you enjoy your stay in Northern
3 California.

4 MR. CASE: Thank you. 46.

5 MR. JOHNSON: Phil Johnson with Altacal Audubon
6 Society, Butte County. J-o-h-n-s-o-n. Welcome to
7 California.

8 The flag right back there has a grizzly bear on
9 it which is exiting from California. It's kind of a
10 somewhat sad reminder of our early history. I think
11 it's great that the cooperative conservation banner is
12 right next to it and I think it's a sign of progress.
13 So I think we need to keep in mind our very recent past,
14 only 150 years old. We're not that far away from a
15 culture that has created extinction.

16 I lead a lot of bird watching trips in the
17 north valley. I've stood in the presence of endangered
18 species and have felt a true awe about that. And I find
19 a real lack of other people in this state and in this
20 nation that I think really have a sincere view to offer
21 what we are talking about. And we certainly have heard
22 in past administrations, not necessarily this, but a lot
23 of cynical attitudes about that, and I don't know the
24 best approach to correct that problem.

25 I mean, certainly we as a local Audubon chapter
0076

1 are doing what we can to instill an appreciation for the
2 life that's around us but definitely staying away from
3 cynical attitudes. And I think a large part would be
4 education, whatever education funding can come along
5 with endangered species programs I think would be
6 tremendously helpful to future generations.

7 And I guess I'd just finally say funding,
8 funding, funding. Everybody is talking about a lot of
9 great programs that are partnerships that are moving
10 forward and everyone is saying the money is not there,
11 and so our local chapter will say let's continue to
12 fund.

13 MR. CASE: Thank you. 47. 48. 49.

14 MR. FEIDER: Thank you. My name is Jim Feider.
15 I head up the Redding electric utility here in the City
16 of Redding. On behalf of the City of Redding, welcome.

17 I'll be speaking to you on behalf of the
18 Transmission Agency of Northern California, includes 15
19 public owned, locally owned utilities in Central and
20 Northern California.

21 I want to compliment the Forest Service for the
22 fast action on putting out a major fire about 65 miles
23 northeast of here called the Laken Fire on July 27th.
24 There's good lessons by way of fuels management that we
25 contributed to that, helped the Forest Service manage

0077

1 that fire.

2 The other key point I want to make has to do
3 with future transmission. Partly stemming from the
4 Energy Policy Act of 2005 in an effort to reduce
5 dependencies on foreign sources of energy, we are
6 looking at a transmission line corridor to connect

7 Northern California to the Rocky Mountain states and
8 potentially to Canada.

9 So we will be initiating a public process
10 through NEPA and the other permitting processes, and we
11 look forward to a streamline process to the extent
12 possible to improve our energy reliability.

13 I also want to speak to you on behalf of the
14 Northwest Public Power Association. This association
15 represents 146 utilities across the entire west
16 including Alaska, Washington, Oregon, Idaho, Montana and
17 California, as well as British Columbia.

18 The utilities of this organization are very
19 concerned about a current policy. It's called the
20 strict liability policy and I'm going to read two
21 sentences of a resolution that I'll leave behind.

22 Northwest Public Power Association members
23 remain opposed to the U.S. Forest Service and Bureau of
24 Land Management imposition of a strict liability clause
25 for fire suppression in utility easements.

0078

1 Such a standard holds the utility responsible
2 for all fires regardless of cause. We feel there is
3 great injustice in this policy and strongly request the
4 Secretaries of Agriculture and Interior to eliminate the
5 strict -- excuse me, the strict liability clause for
6 fire suppression and utility easements, easements
7 imposed by the federal government, and further request
8 current standard for these agreements with other federal
9 agencies, be that ordinary negligence. Thank you.

10 MR. CASE: Thank you. No. 50.

11 MS. BARNES: Hello. I'm Nancy Barnes,
12 B-a-r-n-e-s, and I'm a local business owner and a member
13 of Leadership Redding. Welcome to Redding, gentlemen,
14 and thank you for coming.

15 As you may have noticed, we're surrounded by
16 national and state forests here and that's a big part of
17 our lifestyle. In this area, we have a history of
18 resource extraction. Mining and timber have been the
19 primary industries in the past, but we're moving away
20 from that now into recreation and tourism as our
21 economic future. So we have a vital interest in
22 conservation and the environment.

23 You may not know that just three miles north of
24 here we have a German-owned fiberglass factory that
25 opened up a few years ago and was in violation of

0079

1 particulate emission standards from the day they opened
2 the doors. And it took about three years before it went
3 to the courts, and ultimately they were fined and
4 ultimately they were forced into compliance.

5 So in some cases, regulation is a very
6 important and valuable aspect of the law. The Clean Air
7 Act actually worked for our community.

8 Now three miles west of here you probably have
9 heard of our infamous Iron Mountain mine, the superfund
10 site. The water running down from that mine was the
11 most toxic water in the world and it created a dead zone

12 on the Sacramento River for miles, just a horrific
13 phenomenon. And ultimately that superfund site is
14 considered one of the most successful ones out there.
15 They've been able to do wonders.

16 It's ironic. Just last week I ran into the
17 owner of the Iron Mountain mine and he said to me, you
18 know, "I don't know what the big fuss is about. Those
19 aren't even adult fish. Those are just eggs." So you
20 can't count on businesses that have an economic interest
21 to always take the public good into account.

22 Legislation like the Endangered Species Act,
23 the Clean Water Act, the Clean Air Act are essential and
24 vital. I don't think anyone would argue that the
25 Endangered Species Act needs to be revised. It's been

0080

1 30 something years and obviously it's become very
2 costly.

3 And those concerns are valid; however, I don't
4 think that there's an environmental organization out
5 there that wouldn't be happy to partner with business
6 and private interest in order to build a better and
7 stronger Endangered Species Act. And that's what I urge
8 you to do.

9 MR. CASE: Thank you. 51. 52.

10 MR. MITROVICH: Hi. My name is Nick Mitrovich,
11 M-i-t-r-o-v-i-c-h. I'm a recent college graduate with
12 an environmental policy degree, but I came to talk to
13 you guys about environmental ethics.

14 Our current environment is the bedrock of legal
15 litigation and political stalemate, our inability to
16 solve conflicts, problems. We need to search outside
17 the political battlefield, out of the family rut. We
18 need to become clean members and citizens of the
19 environment.

20 We need to realize there's an
21 impaired relationship between man and nature. One, we
22 need incentives to encourage this relationship. I
23 believe ecological restoration is an effective tool to
24 apply to more regional projects.

25 Ecological restoration is the hope that people

0081

1 develop a deep ecology understanding of the world that
2 surrounds them and they become beings and not just a
3 living part of the environment. Providing incentives
4 like money from our world is an incorrect way
5 to deal with an ecological world. More opportunity is
6 needed for people to develop these values. Thanks.

7 MR. CASE: Thank you. 53. 54.

8 MR. VOGT: Welcome to friendly Northern
9 California and thanks for the opportunity to speak to
10 you this afternoon. My name is Chet Vogt, V-o-g-t. I'm
11 here representing the California Rangeland Conservation
12 Coalition. That's a mouthful.

13 I make my living from the land. I'm in the
14 ranching business about 80 miles southwest of here on a
15 5,000-acre ranch.

16 I have voluntarily worked with a number of

17 state, federal, and local agencies to implement
18 environmental enhancement projects on this ranch, such
19 as working with the NRCS staff and funding to implement
20 erosion control projects and increase water retention in
21 the soil. Those are just a few of the projects that
22 I've worked on.

23 Some may portray me as a forward-thinking
24 proactive rancher; however, I consider myself to be a
25 typical California rancher who is concerned about

0082

1 maintaining a viable operation and preserving the
2 traditions of ranching, so the love of working the
3 land.

4 Today I'm here on behalf of ranchers supporting
5 the many volunteer conservation programs available, and
6 most importantly as a supporter of the California
7 Rangeland Conservation Coalition.

8 Just over a year ago, California ranchers,
9 environmentalists and agencies founded a historic
10 agreement titled California Rangeland Resolution. This
11 unprecedented partnership brought together former foes
12 in a bid to conserve private working landscapes and
13 wildlife habitat.

14 Today the resolution has support and signatures
15 of 46 entities who recognize the rangeland in California
16 Central Valley and interior coast ranges supports
17 numerous species largely due to livestock raising on
18 these lands and the efforts of the ranchers that own and
19 manage them.

20 Signatories of the resolution have voluntarily
21 pledged to work together to preserve and enhance
22 California rangeland. Together these signatories form
23 this California Rangeland Conservation Coalition. We
24 have come a long way together because of the dedication
25 of the nongovernmental organizations and the support of

0083

1 agency partners.

2 We would like to thank Steve Thompson who has
3 continued his support and commitment to the coalition.
4 However, we must keep in mind that our destiny is
5 dependent upon the dedication of our partners.

6 The coalition needs the commitment of state and
7 federal agencies to support our efforts and staff on the
8 ground to provide outreach voluntary technical
9 assistance for landowners and to serve as a resource for
10 the coalition.

11 Coalition members have not always seen
12 eye-to-eye in the past and still bring different
13 perspectives to the table. We are here today with a
14 common request, for state and federal agencies to
15 support our work, more financial resources to assist us
16 in carrying out our goals.

17 Specifically, we would ask for your help in
18 funding enhancement projects and conservation easements
19 on working ranches in conjunction with safe harbor
20 easements.

21 MR. CASE: Thank you. 55. 56.

22 MR. COMPTON: My name is Randy Compton,
23 C-o-m-p-t-o-n. I'm a lifelong resident of Shasta and
24 Lassen Counties and I formerly worked in the timber
25 industry.

0084

1 I just want to know -- I'm just a witness. I
2 speak for other people in my community in that the
3 environment in the forest has been just decimated during
4 my lifetime.

5 There used to be saw mills everywhere. They're
6 not here anymore simply because the trees are not
7 there. And now we have come to the place to where we
8 have clear-cutting. And the clear-cutting is a final --
9 is a final desecration to the forest.

10 And if you fly out of here in a plane or if you
11 have time to fly this area, you can look and you can see
12 it growing like a cancer. And you can only imagine what
13 it is doing to the wildlife and the waters. So I urge
14 you to go look with your own eyes and see what is going
15 on out here in our forests. Thank you.

16 MR. CASE: Thank you. 57.

17 MR. DENN: Good afternoon. My name is Sandy
18 Denn and I'm a rice farmer from Glenn County. I am the
19 vice president of the Glenn Colusa Irrigation District,
20 and I am representing here today as a board member of
21 the Family Farm Alliance which is situated throughout
22 the western United States.

23 Although U.S. citizens are protected from
24 governmental takings without compensation by the
25 Constitution, when agency regulation takes a hundred

0085

1 percent of the farmer's right to use his investment
2 backed expectation, it's not a taking. An amendment to
3 the EPA could provide clear guidelines to provide
4 agriculture with the same protections from complete
5 takings that is given to any other citizens or
6 business.

7 Irrigated agriculture needs legislative
8 assurances that mitigations performed under NEPA, ESA,
9 or CWA will not only satisfy today's requirements but
10 also those of the near future.

11 Costs of mitigation run into the millions of
12 dollars. Most often this is a result of multi-agency
13 input without coordination. Streamlining and
14 unification of regulation among the agencies can cut
15 initial compliance costs at the same time giving
16 assurance to irrigated agriculture and the American
17 taxpayer that their means are being well spent.

18 Federal recognition of the value of crops is
19 based on insufficient factors through such regulatory
20 processes as NEPA. The value of personal crops needs
21 recognition for those things that it provides besides
22 cheap and clean food. Many crops without significant
23 and expensive changes in cultivation or culture provide
24 habitat for hundreds of threatened and endangered
25 species that willingly take advantage of it without

0086

1 government expenditure.

2 Governmental spending can be significantly cut
3 and develop wetlands in some preserves, in some cropping
4 areas. Coordinated processes and consultations could be
5 an effective and economically feasible way to provide
6 additional wildlife habitat.

7 To accomplish these goals, farmers need to be
8 full partners in the process. We pay our own
9 transportation, lodging, meals, and replacement labor to
10 attend meetings yet our presence is purely perfunctory
11 as required by law. We don't need to be paid to attend.
12 We just need actual and meaningful input into the
13 processes that will shape our futures and those of our
14 grandchildren.

15 MR. CASE: Thank you. 58. 59. If you see
16 your number coming up, move down here and save some
17 time.

18 MR. KENNEDY: Thank you for being here today.
19 My name is Bill Kennedy, K-e-n-n-e-d-y. I run a cattle
20 ranch in Glenn County, California. I depend upon water
21 from the Klamath River. We've had the crosshairs of
22 attention on our basin for quite a long time and today
23 I'm here with some good news.

24 I want to compliment the work Steve Thompson
25 has taken in the last year and a half to get together a
0087

1 collaborative effort by people in our basin from the
2 headwaters that surround Crater Lake National Park to
3 the mouth of the river in California.

4 A lot of these people are here today. And as a
5 member of the Klamath Water Region Association, I
6 compliment everyone taking their time and effort to make
7 meaningful relationships and continue with the process
8 that is very encouraging and hopeful for the Klamath
9 basin. Thank you.

10 MR. CASE: Thank you. 59. 60. 61.

11 MR. SUNDERGILL: Good afternoon. My name is
12 Ron Sundergill. I'm the regional director for the
13 National Parks Conservation Association. And obviously
14 we're an advocacy organization that advocates for the
15 national parks.

16 On behalf of the 327,000 members throughout the
17 country, I want to ask you to take back to Secretary
18 Kempthorne our thanks for his recent decision and
19 approving a strong set of management policies for the
20 National Park Service. We are also pleased about
21 Secretary Kempthorne's National Park Centennial
22 Challenge. NPCA looks forward to working closely with
23 the Secretary in developing the details as we move
24 forward toward the 100th birthday of the National Park
25 Service in 2016.

0088

1 A couple comments about cooperative
2 conservation, four points. First is that within the
3 national parks, the park service managers and other
4 federal land managers as well should receive adequate
5 training about how to work with local communities and

6 key stakeholders. Some issues federal agencies deal
7 with will always be controversial.

8 Federal agencies should develop incentives to
9 get parties with different viewpoints talking with each
10 other on a regular basis.

11 Second point, very modest planning grants of
12 50,000 to \$80,000 with an in-chain match from small
13 gateway communities could be very beneficial in
14 fostering a process where local governments, businesses,
15 travel governments and the park service and other key
16 parties engage in collaborative planning efforts that
17 meet mutual goals and obligations. Such funds should
18 not come from the agency base budgets but from a
19 separate source.

20 Third point is that no one size fits all.
21 There is no one size fits all approach. The missions of
22 various federal agencies are different. The situations
23 affecting units within a single agency like the park
24 service can be vastly different, as can the funding and
25 personnel base they have to work with.

0089

1 The fourth point, cooperative conservation
2 approaches need to acknowledge up front that while
3 cooperation is a laudable goal, agencies also have legal
4 mandates and in certain cases limited flexibility in the
5 decision-making process.

6 Lastly, I just want to make a comment about
7 environmental laws. NPCA believes strongly in
8 protecting those environmental laws, including NEPA, the
9 Endangered Species Act, Clean Air Act. They're critical
10 in protecting our national parks. A number of species
11 have been saved, including the snowy plover, by these
12 laws.

13 MR. CASE: Thank you. 62. 63. 64. 65. 66.
14 67. 67.

15 MR. BURNETT: My name is Royal Burnett,
16 B-u-r-n-e-t-t. I'm from Redding and I'm a private
17 citizen. I'd like to address my remarks primarily to
18 Under Secretary Rey and I'd like to speak about the U.S.
19 Forest Service prescribed fire and wildfire policy.

20 As of 9:00 o'clock this morning, there are 46
21 uncontained fires burning in the western United States
22 and Hawaii. The reason for so many uncontained fires
23 are many fold. I mean, there's drought and bad terrain
24 and so forth, but the real reason we have so many
25 uncontained fires, the United States Forest Service does

0090

1 not want to put those fires out.

2 Once a fire originates in a wilderness area,
3 those fires are often only lightly manned or attacked
4 using what's called minimum impact suppression tactics,
5 MIST.

6 These tactics have failed time and time again.
7 Those fires come off of the forest and endanger the
8 neighboring communities as is going on right now in
9 Junction City. The Pigeon Fire is ordering strike teams
10 of engines for structure protection. The same darn

11 thing is happening in Southern California down I-5.

12 We can talk about prescribed fire. In February
13 of this year, the United States Forest Service let a
14 controlled burn up by Weed, it came off the forest, it
15 burned 3,000 acres and one home. It cost \$250,000 to
16 extinguish. Two weeks later, the Sierra Fire, which is
17 a controlled burn, came off the Cleveland. It burned
18 10,554 acres and cost \$7,100,000 to contain.

19 In Northern California, we right now have six
20 uncontained fires. These fires have been burning since
21 mid-July. We had incident management teams that came up
22 when these fires were small, when they were lightning
23 strikes, and said these fires are going to burn all
24 season long. Now that does not sound like an adequate
25 suppression policy to me. That sounds to me like

0091

1 somebody that is working the system.

2 The Uncles Fire on the Klamath has burned
3 21,000 acres and caused \$12,970,000. The Happy Camp
4 Complex, \$12,509,000. The Bar Complex, which the Pigeon
5 Fire's a component of, has burned 50,000 acres and cost
6 \$31,200,000 to date. The Orleans Complex, 15,700 acres
7 and has cost \$17 million.

8 Now if that's a policy that's working, I would
9 hate to see a failed policy, gentlemen. Thank you.

10 MR. CASE: Thank you. 68. 69.

11 MR. FLETCHER: 63 through 66 said I can take
12 their time. My name is Troy Fletcher with the Yurok
13 Tribe. F-l-e-t-c-h-e-r. A couple of quick take-home
14 points.

15 No. 1 is please, the administration, please,
16 should not listen to any attorneys asking to gut the
17 Endangered Species Act.

18 Having said that, the administration should
19 however lean hard and look to these cooperative
20 conservation efforts. Bill talked some on the Klamath.
21 People need to continue to make a living while still
22 protecting the resource. There's still tough
23 discussions and decisions that have to happen. It needs
24 to be well funded. The agencies need an adequate amount
25 of money to participate as well.

0092

1 The other point I wanted to make, Wayne, is
2 specifically, though, to you, is that no amount of
3 cooperative conservation can replace the federal
4 obligation, the state obligation to protect the health
5 and welfare of the citizens, particularly when it comes
6 to the Klamath hydro project.

7 Specific core data shows the water quality
8 coming into that project and specifically the blue-green
9 algae, and the levels there are 4,000 times what it is
10 with the World Health Organization.

11 Something has to be done. Somebody should not
12 have to die or person should not have to become
13 seriously ill before the federal and state agencies do
14 something more than monitoring that action. So I would
15 encourage you to really get on the health departments

16 and others and do what we can to make that emergency
17 known as best as it could.

18 The last point is cooperative conservation
19 needs to start as well between the agencies, so the
20 agencies have got to be on the same page. And I would
21 offer any funding, before it could be spent for projects
22 or studying or monitoring activities, needs to be done
23 underneath an umbrella study design that everybody has
24 to abide by.

25 The Bureau of Reclamation should not be working
0093

1 against NOAA. They should be working together and
2 working together with the communities in the basin to
3 make those things happen. Thank you.

4 MR. CASE: Thank you. 70. 71.

5 MR. MANSELL: Thank you for the opportunity to
6 speak with you. My name is Walt Mansell,
7 M-a-n-s-e-l-l. Wearing two hats today. I happen to be
8 the chairman of the Tehama County, California, RAC
9 Committee. I'm also the natural resources liaison for
10 the whole state of California for the California Rifle
11 and Pistol Association on issues pertaining to hunting
12 wildlife and wildlife habitat.

13 Water, trees, and wildlife are renewable
14 resources. You cannot put them in the bank. You have
15 to manage them and use them or lose them. It makes no
16 sense whatsoever to let a tree dry on the stump and fall
17 over and become forest litter and add to the fire load
18 if it could be harvested at an age that makes it worth
19 something.

20 You have a problem now with the fuel loading in
21 the forest and so you've started a massive cleanup of
22 the small trees and the underbrush. You're going to let
23 all the big trees die on the stump and you are going to
24 cut down the little ones. What kind of forest is going
25 to be left in 30 or 40 years?

0094

1 We sometimes wonder if government isn't too
2 large and too cumbersome. Why do we need to have the
3 BLM and Forest Service doing essentially the same thing
4 over two different pieces of ground?

5 In another life, I spent 35 years working for
6 the California Resources Agency. For a great deal of
7 that time I also carried a badge in my pocket that said
8 I was a special agent of the U.S. Fish and Wildlife
9 Service. One of the main problems is that government at
10 all levels has not overcome the fallacy that development
11 is good for us, that progress means more and more and
12 more people moving into the wildland.

13 No one wants to address the issue that the
14 problems faced by all of our wildlife resources are the
15 problem of grossly out of control human population
16 growth. No one wants to touch that. It's a political,
17 social, religious time bomb. But it's the fact and
18 somewhere down the line somebody at some level has got
19 to have enough courage to say, hey, that's our problem.
20 We cannot grow wildlife on parking lots and in

21 condominium complexes and in shopping malls. Thank you.

22 MR. CASE: Thank you. 72.

23 MR. HAMILTON: Thank you and good afternoon.

24 My name is Jim Hamilton. I'm the development services
25 director for the City of Redding. I extend my thanks

0095

1 for being here today and listening to us about our
2 concerns about what's going on today in environmental
3 regulation.

4 Specifically as a local practitioner, it's my
5 obligation on a daily basis to implement the
6 regulations, the environmental laws and things we
7 believe the public supports but also expects to be
8 implemented in an efficient and effective manner. So
9 with that, my comments will focus on some fundamental
10 ideas for change we believe will be important as we go
11 forward into the future.

12 First, there needs to be adequate resources
13 made available to the agencies regardless of what our
14 particular feelings are about the laws. They're in
15 place and it's that lack of resources on a daily basis
16 is the most frustrating element of complying with the

17 law for local property owners and those that want to
18 develop property in an efficient and appropriate way.

19 Secondly, there should be a real focus on
20 promoting the problematic regulatory solutions. Small
21 impact projects will save time and money for both
22 federal agencies and local agencies and most importantly
23 for project proponents and taxpayers. Federal
24 regulations such as Endangered Species Act should focus
25 equally on the big picture than just individual plants

0096

1 and populations.

2 A longstanding concern we have is that
3 individual plants and animal species are treated equally
4 regardless of where they're located in the habitat.
5 From the regulatory standpoint, instead of focusing on
6 the big picture, we expend the same effort for small
7 populations in isolated habitats as we do for larger
8 more contiguous and well-remaining habitats.

9 Valley elderberry beetle we see on a regular
10 basis affecting local projects even though often it's
11 clear from the science that these areas do not support
12 the endangered species. Federal law should clearly
13 recognize the value of local efforts in achieving
14 conservation protection goals.

15 Federal regulations are unable to accept local
16 government protection programs, viable conservation
17 protection tools. For example, in the City of Redding
18 residents value local space and habitat. That's
19 reflected in our general plan and the policies and laws
20 that we implement on a daily basis.

21 In Redding, the buildout of our general plan
22 being approximately 18 square miles, sensitive habitat
23 and open space areas that are being set aside and
24 outside of development to deal with those issues

25 specifically, that needs to be recognized specifically
0097

1 in the law.

2 MR. CASE: Thank you. 73.

3 MR. RICKERT: Good afternoon, everyone. Thanks
4 for attending our town or coming to our town. My name
5 is James Rickert, R-i-c-k-e-r-t.

6 First off, I'd like to say I am a fifth
7 generation cattle rancher in Shasta County. My family
8 has been around here raising livestock in this beautiful
9 county for many, many years, many generations.

10 Over the years we have worked more and more
11 with NRCS to implement conservation programs on our
12 properties. We have done a multitude of things
13 including irrigation, tail water return systems, fuel
14 breaks, WRP easements, CRP easements, and definitely
15 EQIP projects.

16 What we'd like to see more of is more funding.
17 There are plenty of other landowners such as ourselves
18 in this area that would love to do conservation projects
19 but the funding is not there. And we really feel it's
20 very important to fully fund these landowners who are
21 perfectly willing to put their properties on the line
22 and put these conservation projects into our
23 agricultural programs.

24 And also I'd like to mention our family, we
25 have been very active of conservation easements in this
0098

1 county. My family owns the first large scale
2 conservation easement in Shasta County called the
3 Fenwood Ranch. We've protected two and a half miles of
4 the beautiful Sacramento River from development.

5 And what I would like to see is a lot more
6 funding for these conservation easement programs. It's
7 extremely important we connect these easement projects
8 together so we have very large areas of open space that
9 supports agriculture and provides a variety of habitat
10 for wildlife. Thank you very much for coming.

11 MR. CASE: Thank you. 74. 75.

12 MR. BIRK: Good afternoon. My name is Serge
13 Birk, S-e-r-g-e B-i-r-k. I'm employed as the
14 environmental director of the Central Valley Project
15 Water Association.

16 The CVP Water Association represents the
17 interests of approximately 300 agriculture, municipal
18 and industrial districts that have service contracts
19 with the federal CVP in California.

20 On behalf of the association, I would like to
21 thank the committee for the opportunity to present our
22 viewpoint relative to the proposed Cooperative
23 Conservation Initiative and proposed legislation.

24 We endorse the interagency approach adopted by
25 the Secretaries of Agriculture, Interior, Commerce and
0099

1 the administrator of EPA to promulgate legislation to
2 facilitate prioritization of natural resources and
3 environmental roles through cooperative conservation.

4 We appreciate the outreach efforts you are
5 making to include a broad spectrum of interested parties
6 and affected parties in the process. We are encouraged
7 by the Secretary of Commerce's efforts to provide
8 regulatory assurance to private landowners who undertake
9 conservation on their own land. Perhaps this strategy
10 can be employed in California with CVP diverters.

11 Currently efforts to partner with CVP diverters
12 to evaluate and monitor fish screen efficacy has stalled
13 because of the inability to provide regulatory assurance
14 to voluntary participants. Implementation of this
15 voluntary monitoring and assessment is critical to the
16 success of the CVP screen program and the Cal Fed
17 ecosystem restoration programs.

18 Since operation of the CVP is unfluenced in
19 great part by the federal ESA and directly impacts our
20 members, we are hopeful the framework of the Cooperative
21 Conservation Initiative can be applied to federal ESA
22 legislation.

23 We recommend to the secretaries and the
24 administrators to investigate this opportunity and apply
25 the goals of the cooperative conservation to the

0100 implementation of federal ESA issues. A regulatory
1 agency will no doubt be able to accelerate the ESA
2 process if they collaborate with effective parties.

3 Throughout the last decade, numerous requests
4 have been made to the USDR to recommend to the Fish and
5 Wildlife Service and NOAA Fisheries to normally
6 designate CVP members as applicants in the ESA
7 consultation process when they are directly or
8 indirectly affected or impacted by interrelated or
9 interdependent effects from consultations.

10 MR. CASE: Thank you.

11 MR. BIRK: Thank you.

12 MR. CASE: 76. 77. 78. 79. 80. 81. 82.
13 83. 82, okay. I was on a roll.

14 MR. CASSANO: My name is Eric Cassano; E-r-i-c,
15 last name C-a-s-s-a-n-o. I'm from Shasta Lake,
16 California. And I'm here to complain personally to
17 Wayne Nastri, EPA Region 9 administrator.

18 This may come as a surprise to him. I
19 apologize if it does, but my complaints revolve around
20 the way your agency handled the Knauff Fiberglass
21 situation. Refused to enforce their air permit for
22 approximately three and a half years. I think that's
23 inexcusable. Can't understand why. Hope that's not a
24 typical pattern of your agency.

0101

1 There's a group of people here in Shasta County
2 that have been trying to conserve air quality here but
3 have gotten no cooperation from the people at EPA Region
4 9. I'm trying to use the terminology up on the banner
5 there.

6 Despite numerous citizen complaints, EPA Region
7 9 allowed Knauff to pollute illegally for three years
8 with no enforcement or requirement to comply. I guess

9 the EPA feels a settlement made by the County, which
10 isn't even a legal agreement, just hodgepodge
11 correspondence, constitutes enforcement.

12 Regardless of that, there was no attempt by
13 your agency made to bring this company into compliance
14 within -- even a grace period of 30 to 60 days would
15 have been acceptable; three and a half years is not. So
16 apparently if you're a politically favored company you
17 don't have to obey the law, at least in Shasta County.

18 Instead of doing enforcement and natural
19 fining, the EPA just wrote them a new permit. What are
20 you doing? Here's a permit. We'll write the paperwork
21 and make you fit despite all the stuff that was told to
22 Shasta County residents in what we were going to get.
23 It was getting a foot in the door and then they do
24 whatever they want. It's terrible.

25 You can read all about this particular

0102

1 incident. I have a website, Shastalake.com/air, very
2 simple to find. I attempted to bring this matter to
3 your air director, Deborah Jordan I believe her name is.
4 She refused to return my phone calls, which I found kind
5 of interesting, and so I took this opportunity to speak
6 to you personally.

7 And I would like at this time to ask the EPA to
8 live up to their name, Environmental Protection Agency.
9 Please protect the environment. I do apologize if this
10 is the first time you heard about this particular
11 matter. I thank you for hearing me.

12 MR. CASE: Thank you. 83. 84. 85. 86.

13 MS. CURREY: Hello. My name is Tacy, T-a-c-y
14 C-u-r-r-e-y. I'm representing California Association of
15 Resource Conservation Districts, which there is 103 RCDs
16 in the state of California amassing 91 percent of the
17 state.

18 Cooperative conservation partnerships is not a
19 new concept. The RCDs have been longstanding partners
20 with the Natural Resources Conservation Service and
21 other federal and state partners to provide locally led
22 conservation efforts working in partnership to provide
23 assistance on public and private lands.

24 Though these traditional conservation
25 partnerships have been the building blocks, we have

0103

1 tried to break barriers to build partnerships with other
2 agencies, organizations, and tribes. Whether we are in
3 San Diego County working with tribes on emergency
4 watershed protection, Monterey County partnering with
5 the marine sanctuary, or in the Trinity working with BLM
6 on management of the Weaverville community forest, we
7 encourage active participation and engage discussion
8 with all partners.

9 Today, we are here to encourage the support of
10 work at the local level both in the process base level
11 and financially. As the years have passed, we found
12 regulation mounting and in some instances conflicting

13 with, which causes confusion to local landowners and
14 hinders conservation implementation.

15 We support EPA's cross-media approach and
16 encourage the planning of whole system resource
17 management versus a solitary resource based approach.
18 We also encourage the streamlining of the permitting
19 process to enable efficient access for landowners to
20 create enhanced restoration areas and implementation of
21 best management practices.

22 Financially it has become increasingly
23 difficult to fund technical assistance at the local
24 level. Project and program based assistance can be
25 funded with grants and federal programs such as NRCS

0104

1 EQIP program, but how do you fund a system for
2 landowners who need advice and technical assistance with
3 the slow attrition of CTA funds and lack of funding for
4 resource conservation districts at the local level?

5 I challenge each and every one of your agencies
6 to talk to OMB about proactive management versus
7 reactionary management and how that fits into the
8 national scale. Thank you.

9 MR. CASE: Thank you. 87. 88.

10 MS. REMICK: Hi, I'm Carolyn Remick from
11 Sustainable Conservation. R-e-m-i-c-k.

12 Sustainable Conservation is a nonprofit
13 voluntary group. We work with government to develop new
14 tools and approaches for conservation and environmental
15 protection.

16 Our three program areas are sustainable
17 agriculture, restoration on private lands, and
18 sustainable business. All of these rely heavily on
19 collaboration to find durable solutions that will
20 protect and promote enhancement of our environment.

21 We work extensively with federal agencies
22 through these partnerships. And I want to call your
23 attention to the success of California's Natural
24 Resources Conservation Service. They do exceptional
25 work.

0105

1 We have much to learn. There are many listed
2 species and so many regulatory challenges in
3 California. Groups like ours function well, but in a
4 background where you have strong regulations that's
5 consistently interpreted, that provides a motivation for

6 landowners or other industries to come to the table. So
7 I'm not asking for any kind of weakening of the
8 regulations, but consistent interpretation can be really
9 helpful.

10 Together we have been bringing the business
11 community together to find solutions to help recover
12 species, clean up abandoned mercury mines, promote water
13 quality improvement, and the energy generation on
14 dairies, prevent the commercial sale of invasive plants,
15 and work with the brake pad industry to develop
16 constituent materials that do not result in degradation

17 of our aquatic habitats.

18 What I'm asking today is continued recognition,
19 particularly the conservation aspects of the coming up
20 Farm Bill. And secondly, as we continue to find these
21 solutions, especially ones that involved protected
22 species, to have enough staff available to make sure
23 they fit with the protection offered. Thank you very
24 much for your patience listening today.

25 MR. CASE: 89. 90.

0106

1 MS. CUNNISON: Hello and thank you for coming
2 today and holding these listening tours. My name is
3 Emily Cunnison, C-u-n-n-i-s-o-n, and I'm here
4 representing the Mountain Lion Foundation. And the
5 Mountain Lion Foundation is all for community
6 conservation of mountain lions and all wildlife.

7 I'm here speaking on behalf of our American
8 lion, the mountain lion, considered nearly threatened
9 from the World Conservation Union, and also the Florida
10 endangered panther, and also on behalf of the 86 percent
11 of Americans that support a strong Endangered Species
12 Act.

13 And we know that every species needs a home in
14 order to survive. The Endangered Species Act is the
15 most effective tool we have to protect the habitat.

16 The Florida panther was actually one of the
17 first animals listed as endangered; and had it not been
18 for the Endangered Species Act and the protection it
19 provided for the Florida panther and its habitat, that
20 would be one of the many animals we might not have
21 today.

22 The Florida panther has a population of only 80
23 cats, along with many other important species that are
24 still greatly imperiled today, and their last hope lies
25 in the protection afforded by the Act.

0107

1 Many species of wildlife, as many people know,
2 are struggling today, including the mountain lion, as
3 evident by the increased amount of sightings and
4 encounters as they become stressed and compressed. And
5 the Endangered Species Act is a really important means
6 of protecting the environment and the really rich
7 ecosystem we have in California.

8 We have to acknowledge and work through these
9 contentious issues responsibly and cooperatively. But
10 instead, by attempting to weaken the Endangered Species
11 Act, we seem to be pretending a lack of importance for
12 the Act itself.

13 We feel this is not responsible stewardship of
14 the land and it's not responsible stewardship of our
15 American heritage or American health.

16 It's sometimes easier, we acknowledge, to live
17 as individual versus a community level, but Americans
18 have voted to support a strong Endangered Species Act
19 for future generations to come.

20 The Endangered Species Act has allowed for
21 cooperative conservation. It's become an important tool

22 in bringing communities together. It's those species
23 and habitat protections provided by the Act that provide
24 the vital safety net for preserving our wild heritage.
25 Thank you.

0108

1 MR. CASE: 91. 92. 93. 94. 95. 96. 97.

2 98. 99. 100. 101, 2, 3, 4, 5.

3 MR. KINGINTON: I'm 6.

4 MR. CASE: 7, 8, 9. 107 come on down.

5 MR. KINGINTON: My name is Dean Kinginton,
6 K-i-n-g-i-n-t-o-n, private landowner of 2,000 acres
7 currently engaged in industrial scale habitat
8 restoration trying to restore irresponsible logging done
9 in that particular region working with CDF.

10 When we carry on the beat in the air
11 conditioning, heater, the experts warn the planet's
12 life-sustaining systems are crumbling. We complain
13 about insignificant convenience to our personal
14 interests, runaway climate change that is according to
15 many experts already irreversible. Rhetoric from the
16 mouthpiece of the many corporations that continue to
17 fill their coffers with the spoils of environmental
18 plunder.

19 Global ecosystems are crashing. The land, air,
20 waterways, seas must remain healthy. The Bush
21 administration has shown incredible contempt for this
22 responsibility by placing former industry lobbyists in
23 every imaginable regulatory position. This
24 administration has systematically gutted environmental
25 protection on every front. They claim there is not

0109

1 enough sound science.

2 The intergovernmental panel on climate change,
3 2,000 plus climatologists, has been systematically
4 eliminated from any corporate media. It is as the
5 40-year climatologist James Lovelock stated in an
6 article recently this year, and I quote, "The world is
7 already past the point of no return for climate change
8 and civilization as we know it is unlikely to survive.
9 The world of humanity, humans face disaster to a worse
10 extent on a faster time scale than almost anybody
11 realizes." He writes, "Before the century is over,
12 billions of us will die."

13 It is the absolute responsibility of elected
14 and governmental officials to seek out independent and
15 valid data. I would implore all of you that hold the
16 position of power for positive change, if you wish to
17 have the courage to look your children in the eye in the
18 years to come, please wake up. Thank you.

19 MR. CASE: Thank you. 108. 109. 110.

20 MS. MARSUMB: Thank you very much for this
21 opportunity to speak with you today. My name is Sarah
22 Marsumb. I'm the field director with the Endangered
23 Species Coalition, a national network of about 375
24 conservation, scientific, religious, sporting,
25 recreation and community groups across the country who

0110

1 care about protecting endangered species and their
2 habitat.

3 We've heard a lot of great examples today of
4 cooperative conservation efforts in the state and
5 Californians who deeply care for and want to be stewards
6 of our land and our wildlife.

7 Cooperative conservation is a really important
8 tool for protecting our wildlife and open space but is
9 not a substitute for a nation's environmental law.

10 The Endangered Species Act, the Clean Air Act,
11 the Clean Water Act have paved the way for cooperative
12 conservation for setting goals for recovering endangered
13 species and restoring rivers, waterways, and wilderness.

14 The Endangered Species Act is a safety net on
15 the brink of extinction. It's proven over 30 years of
16 existing, the American bald eagle, the peregrine falcon,
17 and many other species of fish, plants, and wildlife.

18 In fact, a new independent federal report just
19 came out last week. I'm sure you're all away of that,
20 confirms the success of the Act. According to the
21 General Accountability Office report which was requested
22 by U.S. Representative Nick Rahall, the Ranking Democrat
23 on the House Resources Committee, the conservation tools
24 provided by the Endangered Species Act have been
25 successful in restoring endangered species throughout

0111

1 the country.

2 This administration, we urge this
3 administration to uphold our nation's important
4 conservation laws and to work to fully fund the
5 Endangered Species Act core programs; and also, in
6 addition, cooperative conservation efforts but not to
7 steal money from the core endangered species programs to
8 fund cooperative conservation.

9 The existing endangered specie landowner
10 incentive programs are popular and effective when
11 landowners have access to them. They're underfunded
12 which limits participation. In 2006, the administration
13 allocated only \$7.27 million for 80 private stewardship
14 projects. They received over 280 proposals for
15 approximately 17.7 million.

16 And similarly, the landowner incentive program
17 has been underfunded in comparison to the demand. The
18 official qualified request equaled 33.8 million compared
19 to the actual distributions which were a fraction of
20 that, about 18 million.

21 MR. CASE: Thank you. 111. 112. 113. 114.
22 115. 116. 117. 18.

23 MS. MARRO: 119. My name is Kerry, K-e double
24 r-o M-a-u-r-o. I am president of the Mount Shasta
25 Chapter Audubon.

0112

1 The federal and state listings of the Coho
2 salmon has placed our conservation district right in the
3 middle of the recovery of an endangered species.

4 The RCD is being asked by the community to
5 interface between the regulatory agencies and the

6 community. And in fact, this evening we will be meeting
7 to adopt the draft version of an incidental master take
8 permit from the Department of Fish and Game which will
9 place it squarely between the community and the
10 regulatory agencies.

11 As a conservationist, I am clearly in favor of
12 the ESA; but as a member of a resource conservation
13 district, that is becoming increasingly apparent to me
14 that the threat of a listing is a much more powerful
15 tool rather than the listing itself.

16 Once the listing is adopted, the funding and
17 regulatory complications create a significant damper on
18 recovery efforts. Indeed, the community is likely to
19 reduce its efforts feeling that it has lost the battle
20 at that point.

21 Problems in the Klamath basin have been known
22 for years, but because of the structure for recovery
23 which is either/or, or on, or off, there has been no
24 early incentive for recovery efforts. An interesting
25 change of the Act might be to restructure it in such a

0113

1 way that some sort of pre-listing, followed by listing,
2 followed by recovery would allow us to address these
3 early-on incentives rather than waiting for the species
4 to become in such conditions that it needs to be final
5 listed. Thank you.

6 MR. CASE: 120.

7 MS. DONNELLY: I'm actually 118. My name is
8 Lisa Donnelly. I'm vice president of the USDA Coalition
9 of Minority Employees. We are a USDA recognized
10 employee resource organization dealing with issues of
11 civil rights. I represent thousands of USDA employees
12 and individuals in the Department of Interior as well.

13 Despite our continued requests to Secretary
14 Johanns, he will not provide listening sessions to his
15 own employees, so I am compelled to speak here today
16 regarding the issue of the waste of taxpayer dollars
17 that could be used to address natural resource issues,
18 the very issues we're hearing today.

19 I've heard many, many concerns here today about
20 the lack of funding for staffing, reduced funding of
21 cooperative programs, the thousands of acres of Forest
22 Service land that are currently burning out of control,
23 and the request for wise use of taxpayer dollars.
24 Billions of taxpayer dollars are wasted by USDA and
25 Forest Service on issues of civil rights.

0114

1 Mr. Rey, your office refused to address these
2 issues of employee harassment, discrimination,
3 retaliation, and whistle-blowing. Money is wasted on
4 complaints, both individual and class actions,
5 investigations, lawsuits, court orders, huge staffing
6 with employee and attorney programs to fight the
7 employees who are merely asking for their civil rights
8 violations to be addressed.

9 This money could be -- we're talking billions
10 of dollars here, billions of dollars. This money could

11 be used for issues that we've heard about today, fuel
12 reductions in the forest, staffing, and programs to
13 enhance and protect natural resource programs and public
14 safety which is seriously lacking also.

15 As one example of how Secretary Johanns'
16 failure to address these civil rights issues affects the
17 natural resources, just recently a fire management
18 officer in a California forest who runs a very large
19 fire management program was removed from his position
20 because of issues of sexual harassment and civil rights
21 violations.

22 There is currently no leadership on that forest
23 in the fire organization at this time where we're having
24 tremendous fires out of control. It's a critical time
25 and it's an example of how, when the USDA and Forest

0115 Service and other agencies as well, like the Department
1 of Interior, do not handle their human resource issues
2 properly, it severely affects the natural resources.

3 MR. CASE: Thank you.

4 MS. DONNELLY: One last thing. I would like to
5 address Mr. Thompson as well. And, Mr. Rey, you
6 promised us two years ago, the coalition, you would work
7 cooperatively with us.

8 MR. CASE: Thank you.

9 MS. DONNELLY: And we're waiting for that. And
10 just real quick, Department of Inter --

11 MR. CASE: Thank you. We're going to go on to
12 the next one. Thank you. 120. 121. 122. 123. 24.
13 25. 26. 27.

14 MR. HOLLMON: I'm from Paradise, California,
15 about 80 miles southeast of here. I'm a citizen. My
16 name is Jamie Hollmon, H-o-l-l-m-o-n.

17 I was raised by a father who was Under
18 Secretary in Washington who struggled to make science
19 and policy somehow sensible. I think he was reasonably
20 successful at that time, but since then there's a
21 general perception that the attitude of policy makers
22 towards science is, let us say, somewhat more negative,
23 and the understanding of science is somewhat more
24 negative, and the intention to understand science is

0116 somewhat more negative.
1

2 I have one comment about science in the Act. I
3 can't speak for any of the views of you. I don't know
4 that detail, but I've read the public press about what
5 some people in the House want to do.

6 If we're going to visciate the Act because we
7 don't believe in it, I point out we better not use
8 modeling for hurricanes. We either believe that
9 sensible modeling is sensible and represents good
10 science or we don't. And that is a very important
11 consideration.

12 Secondly, the fact that many speakers have come
13 up and begged you not to destroy the Act is itself a
14 rather important perception of the United States
15 government. If the people of the United States think

16 that the administration itself wants to visciate the
17 laws of the United States, that is a grave concern and
18 there are millions of people in the West who believe
19 that, who are very concerned about that and who came to
20 the West because of the values of the outdoors.

21 The EPA and the ESA were developed at a time
22 under a Republican president. Isn't it ironic that the
23 legacy of this president may be quite different from
24 that earlier president. And whether or not Nixon really
25 wanted the EPA is irrelevant. He will be given credit

0117

1 for it.

2 Why not give President Bush a little more
3 credit before his administration stops. If you don't
4 protect the environment, you will be known for not
5 protecting the environment. Thank you very much.

6 MR. CASE: Thank you. 128. 129. 130. We
7 just have a couple more. Are you okay? I know we have
8 a couple of panelists need to leave. I think we only
9 have a few more people so go ahead.

10 MR. HORNEY: Gentlemen, my name is Mark Horney,
11 H-o-r-n-e-y. I'm a scientist and natural resource
12 management professional, and I'm here representing the
13 California Pacific section of Society for Range
14 Management. I'm addressing a question, No. 3 on the
15 card, with respect to federal government's connection to
16 science development.

17 The Society for Range Management was
18 established in 1948 in the United States and it serves
19 as a professional association for those interested in
20 the management and stewardship and use of wildlands and
21 rangelands in the United States.

22 This particular association is populated by
23 diverse membership, including scientists, academics --
24 excuse me, members of many federal agencies including
25 the USDA, the BLM, U.S. Fish and Wildlife agency. It

0118

1 publishes a professional scientific journal, the Journal
2 of Rangeland Ecosystem Management.

3 The society has been working for many years on
4 coordinating resource management topics and issues in
5 most states in the western United States.

6 It continues to serve in that function in many
7 localities where there are issues of concern raised. It
8 is unique in its capacity for bringing people together
9 because of the fact that within its membership and ranks
10 it has representatives of the various agencies, users
11 groups, including the energy companies and cattlemen's
12 association and off-road vehicle associations all have
13 people in the membership.

14 So this particular society is particularly well
15 suited for entering in the situation discussion about
16 resources and the need for developing science to answer
17 specific questions to innovative solutions and come up
18 with solutions to the problems we have.

19 You guys know it's not possible to mandate a
20 particular solution from Washington, let alone from

21 state capitols. It's necessary in many cases where
22 natural resources are concerned to discuss how best to
23 see particular regulatory requirement in the field
24 given the natural constraints in that area, the economic
25 issues involved and everything else.

0119

1 So anyway, I was just stepping forward to
2 represent the society and let you know we are available
3 in all states in the West to assist wherever needed.

4 MR. CASE: Thank you.

5 MR. BRODDRICK: Thanks, Dave. Ryan Broddrick,
6 B-r-o-d-d-r-i-c-k, Director of the Department of Fish
7 and Game. Welcome to California.

8 On behalf of Secretary Chris Penn, he sends his
9 regrets. We had a tragedy of a couple CDF firefighters
10 lose their lives. He was there to honor his family.

11 On the cooperative conservation side, thank you
12 so much for being here. I thank the audience, excellent
13 cross-section, and very much an illustration of what
14 California does within the cooperative conservation.

15 It is not a substitute for regulations of the
16 Endangered Species Act but certainly an incredible
17 compliment. Steve Thompson and others with the Bureau
18 of Reclamation and other federal partners we have
19 partnered on cooperative conservation in working
20 landscapes of forest, level wetlands, urban areas with
21 HCP investments. And we're talking about billions of
22 dollars.

23 Cooperative conservation is not inconsistent
24 with the enforcement of the ESA or regulatory side. In
25 fact, it gives us the opportunity to frankly get ahead

0120

1 of the curve in many areas where folks are looking at
2 maintaining both social and wildlife values.

3 And I really encourage you to take the message
4 back, we can do a lot in California. We have done a
5 lot. Thirty-seven million people, one and a half
6 billion dollars alone for the wildlife conservation
7 board and cooperative conservation projects in the last
8 four years. That didn't happen because of me as a
9 member of the wildlife conservation board but because of
10 federal and state partners at the government level.
11 Huge accomplishments. We need additional funding to get
12 to the ground, to the Farm Bill.

13 I challenge all of us as regulators, a
14 challenge I undertake each day as a regulator, as
15 enforcer. You can be a conservation partner and still
16 be a regulator. They are not inconsistent. In fact, we
17 develop regulations to protect public trust. We do
18 conservation partnerships to develop and maintain public
19 trust. You can do both, and I appreciate you being
20 here.

21 The Clean Water Act and delegation of state
22 water board and regional board, we have some tremendous
23 opportunities there. And I look forward to building
24 partnerships on conservation that include the clean
25 water component. I think we can accomplish some

0121

1 dramatic additional conservation in California. I know
2 you're pushed for time.

3 Also here in the audience, I don't know if he's
4 going to speak or not, Chief Deputy Director for CDF,
5 Crawford Tuttle. He was anyway. Thanks for coming. I
6 really appreciate the opportunity to essentially see the
7 landscape of the human dimension in California.

8 We have great diversity and natural resource,
9 but it is masked by the diversity of human resource.
10 The bottom line comes down to human dimension when it
11 comes to cooperative conservation. Thank you for being
12 here.

13 MR. CASE: 130. 131. 132. 133. 134.

14 MR. ALLEN: My name is Steve Allen. I'm a
15 private citizen. I'd like to say that for the last
16 several years I've read about representatives wanting to
17 get their hands on the Endangered Species Act and weaken
18 it.

19 And I hope this cooperative conservation
20 program that your're initiating is a positive thing and
21 not a way to weaken the Endangered Species Act like the
22 Clear Skies Initiative that the Bush administration
23 began.

24 And anyway, I wanted to say that the Endangered
25 Species Act should remain strong. And anyway, that's

0122

1 all.

2 MR. CASE: That's all. I don't want to cut
3 anybody short. Is there anyone else? Okay. I'm going
4 to ask the Under Secretary to come up to the podium and
5 say a few closing comments. I know he's got a flight to
6 catch and I don't want him to miss having a chance to
7 say a few words.

8 MR. REY: It was said more than a few times at
9 the White House conference in St. Louis that we are
10 beginning to write the chapter in American conservation
11 history. The first chapter, of course, was the chapter
12 written by Theodore Roosevelt and the progressive
13 movement in the turn of the last century.

14 The second chapter with the initiatives
15 Franklin Roosevelt wrote. The chapter was the
16 environmental movement of the 1960s, '70s, and early
17 '80s, and national environment framework that movement
18 generated and we live and operate with today.

19 The fourth chapter, American conservation is a
20 chapter that I think is going to be designed to build
21 along that framework, not replace it, and to use new
22 tools and techniques to address the environmental
23 challenges that we face today and will face in the
24 future, challenges associated with the restoration.

25 Much of what we've been doing in these

0123

1 listening sessions is listening to ideas that we hope
2 with your assistance we can include in the writing of
3 that fourth chapter of America's conservation history.
4 It won't be written overnight.

5 It won't be written this year. Probably won't
6 be written by this administration because it will be
7 written by other people and officials over a period of
8 time.

9 I thank you for everything that you've given us
10 today. All of this we will take back with us, all of it
11 has been transcribed. And we'll mull over it and
12 continue to work in fostering cooperative approaches to
13 solving some of the environmental restoration challenges
14 upon us. Thank you very much.

15 MR. CASE: You have the same flight. Did you
16 have anything?

17 MR. RAYDER: One person left.

18 MS. CALLIN: My name is Kathy Callin and I'm a
19 private citizen, retired science teacher. I want to
20 thank you gentlemen for being here. There's federal
21 government at my doorstep and I have two minutes to say
22 what I have to say to them. It's a very honorable
23 thing.

24 I just want to share with you that I grew up in
25 the '60s and '70s, and the Under Secretary just referred

0124

1 to the environmental movement that was alive and well
2 during that time. It was such a hopeful time, such a
3 time when we felt like the air was getting cleaner, the
4 water was getting cleaner.

5 President Nixon formed the EPA and we were all
6 happy that he did. And quite frankly, I don't have that
7 same sense of optimism right now and I haven't for the
8 last five years.

9 It just seems as if the current
10 administration -- and I'd like you to take this message
11 back for us, please -- is intent on gunning
12 environmental regulation. I hope I'm wrong. Certainly
13 seems that way and I want that to be reversed. I want
14 to feel hopeful again. I want to see you gentlemen
15 funded. I want to see my friends in the scientific
16 community being listened to, not having the reports
17 altered by political points in the White House.

18 I think gaining public trust is something this
19 White House really needs to work on and we're all there
20 with you. We need you to work with us and support us.

21 All these people, farmers, foresters, private
22 citizens, conservation groups, we want to work together
23 to protect our environment and have a wonderful world
24 for our grandchildren and our children, but we need your
25 help. We can't do it alone. Please tell the president

0125

1 we need his support. Thank you.

2 MR. CASE: Anybody else that has not had a
3 chance to speak this afternoon that would like to?
4 Anybody else? Mr. Rayder, closing comments?

5 MR. RAYDER: Thank you so much. I appreciate
6 the patience of you folks. It's enlightening for me.
7 Thank you for your time for us today.

8 Mr. Nastri?

9 MR. NASTRI: There certainly was a lot we

10 learned in these sessions. Very challenging for us on
11 the panel, so often we want to engage in the
12 discussion. And the way that we're really trying to
13 approach this is to try to get as much input as we
14 possibly can.

15 We heard such a wide range of views from those
16 who believe the ESA needs to be strengthened, to those
17 that believe the ESA needs to be modified. We talked
18 about forest management practices. We talked about the
19 need for funding.

20 And these are issues that we grapple with every
21 day. And the importance of this is it's not just what
22 we say when we develop our policies and our budgets and
23 our priorities, it's having the ability to get your
24 input to see what does the public feel that's
25 important.

0126

1 I'm more than happy to stay a little bit
2 afterwards to engage in some discussions. The gentleman
3 talked about Knauff Fiberglass. I'd be more than happy
4 to talk about that, more than happy to talk about the
5 environmental investments and achievements that have
6 been done over the decades.

7 One of the things my boss, Administrator
8 Johnson, has said is that the environment is everyone's
9 responsibility. We're here today to learn about
10 collaborative cooperative programs. The fact of the
11 matter is you're doing them.

12 In fact, I know Steve and Scott and I were
13 engaged in with many of you and many of the
14 listeners. We're learning. We're talking back to
15 others within the federal agency. Your stories are very
16 important to us to help reinforce a message, to help
17 reinforce a theme.

18 And clearly here in the West, and I've had a
19 chance to participate in more than one of these
20 sessions, the environment, forest, our resources are all
21 extremely important. I think we're very fortunate to
22 live in California where we have great partnerships with
23 the state, with local districts, with the regional
24 boards.

25 And we're going to continue that because that

0127

1 truly is the way that we are going to see environmental
2 benefits because all of us up here, I can assure you,
3 want to see those benefits realized sooner rather than
4 later. And the only way we can do that is with the help
5 of all of you.

6 Thank you for all your time, your comments, and
7 I know I continue to look forward to working not only
8 with all of you, with all our partners in the federal
9 agency. Thank you. Mr. Thompson.

10 MR. THOMPSON: I wanted to thank all of you for
11 your thoughts and comments. We're not keeping quiet for
12 this. I learned a lot today.

13 I'd like to digress, and I will tell you from
14 the department perspective I will be talking to BLM,

15 some of the folks here today, and BIA also in the
16 audience, and we'll be talking about those things.

17 If for some reason either you or your friends
18 didn't feel like you got a chance to vent, please make
19 sure you go to the website and make the comments and add
20 those things on.

21 I remain hopeful. I guess there are a
22 tremendous amount of good stories we heard here about
23 people that live on the land understanding the value of
24 the land, pass it on, attempting to working together.
25 That's a huge success story. We need to do more of

0128

1 that.

2 I want to thank the people on the Klamath
3 watershed from the top of the mountain to where it
4 empties into the ocean. They taught me a lot. They're
5 phenomenal. Progress with tribes and irrigators and
6 environmental groups all trying hard to pull together
7 and to get something done on the rivers and conserve the
8 river and conserve all the resources.

9 So thank you. A lot to digest and learn. I'm
10 not sure exactly how to digest all of it. I know by
11 listening to you makes us better administrators, better
12 public servants, and I appreciate the chance to listen a
13 little bit and try to relate these 14 pages of notes I
14 have.

15 There's several things that stuck with me and I
16 can learn from that and pass that on. We have obviously
17 got a lot of work to do in conservation and need your
18 help. So thank you very much.

19 MR. CASE: On behalf of all the agencies, thank
20 you for being here. In particular, I'd also like to
21 thank Alex Betts and Jim Smith and Fish and Wildlife
22 Service, also John Greedy, U.S. Department of
23 Agriculture, and all the folks on stuff put together so
24 it comes together on time.

25 As Steve mentioned, the last meeting, the last

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1 of these 24 meetings is scheduled for Colton,
2 California, which I understand is about an hour east of
3 L.A. on September 28th. Thursday, September 28th. So
4 if you like what you saw here, you can meet us at Colton
5 in a week and a half. Thank you very much and we'll
6 close the meeting.

7 (The meeting concluded at 4:28 p.m.)

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CERTIFICATE OF REPORTER

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2
3 STATE OF CALIFORNIA)
4 COUNTY OF SHASTA)

5
6 I, DEBBIE J. BENSON, do hereby certify:
7 That said transcript was taken down in
8 stenographic shorthand by me, a Certified Shorthand
9 Reporter, at the time and place therein stated, and was
10 thereafter reduced to typewritten form using
11 computer-aided transcription, and that the transcript is
12 a true record of comments given.

13 I further certify that I am not of counsel or
14 attorney for any of the parties hereto, or in any way
15 interested in the event of this cause, and that I am not
16 related to any of the parties hereto.

17 WITNESS MY HAND this 19th day of October, 2006.
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DEBBIE J. BENSON, C.S.R.

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